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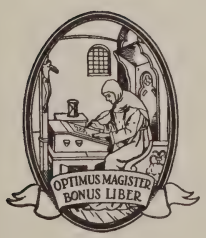
JESUIT STUDIES

The Political Theory of John Wyclif

L. J. Daly, S.J.



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INTRODUCTION

A chief difficulty in discussing the work of a fourteenth-century scholastic writer such as John Wyclif comes from our forgetting his intellectual environment. In preparation for the terminology and the intent of such a writer, it is helpful to consider some aspects of his intellectual inheritance and background. This is attempted in Chapter I by pointing out the existence of a group of related political theorists whom modern writers have named "political Augustinians" and another group of theologians who are classified as the "Oxford School," to both of which Wyclif was somewhat related. Next, a more detailed consideration of certain aspects of the political theories of four very different thinkers—John of Paris, Giles of Rome, Marsilius of Padua, and William of Ockham—are noted. These theorists mirrored conflicting trends of fourteenth-century political thought, some of which are to be found in the writings of Wyclif.

The historical period during which Wyclif lived can also give us clues, both as to his theories and their relevance. A brief summary of certain historical events in fourteenth-century England, as well as a synopsis of the known facts of Wyclif's life, are presented in the second chapter as a further aid in understanding the political traditions of late medieval England.

Three main lines of investigation are then pursued. Chapter III describes at length Wyclif's general ideas of civil society by

means of his concept of the relationship of the professional theologian (himself) and the state, his theological theory of grace and dominion and its relationship to his political theory, his views on the origin and nature of civil society, and his theory of the *respublica christiana* and the interaction of the two arms of the *ecclesia.* In conclusion some suggestions are offered concerning the origins of Wyclif's whole theology of grace and dominion, its possible contribution to his alliance with John of Gaunt, and probable inferences from Wyclif's principles to his views on the development of the bureaucratic monarchy.

Wyclif's theory on monarchy presents a fertile field for investigation in Chapter IV, both because of his lengthy writings on that subject and also by reason of the difficulty inherent in the theory of a strong monarchy in combination with the traditional concept of a universal empire. His discussions of monarchy in general, its types, the duties and dignity of a king, and the relationship of the king to law give us for the most part the theory of the medieval king, an executive about whom the whole government revolved. Wyclif's theory of a king who rules as well as reigns is offered as a more probable basis for the alliance of the Oxford theologian with the politically minded John of Gaunt than other aspects of his political theory.

The influence of Wyclif on the development of fourteenth-century nationalism forms the basis for the fifth chapter. His views on the relationship of the emperor and the pope to the king of England, the attitude of the king toward war and toward property, especially ecclesiastical property, are set forth. The possible influence of Wyclif on the development of nationalism is then discussed with reference to three cosmopolitan institutions; namely, the *regnum*, the *sacerdotium*, and the *studium.*

Throughout the book an attempt has been made to give Wyclif's opinions in his own words as far as possible. The footnotes provide the original citations of the key passages, often more extensive than the English paraphrases. Admittedly a great

obstacle to the correct estimation of Wyclif's political theory is the medium in which his thought is expressed, late medieval Latin channeled into the complicated terminology of fourteenth-century scholasticism. Wyclif is not the last of the schoolmen, but he is admittedly one of the most difficult.

The author hopes that this essay may contribute somewhat to a better understanding of the position of Wyclif in the history of political thought, and that the reproduction at length of various passages from the works of John Wyclif, which are now often found with difficulty, may aid in this evaluation. He also wishes to acknowledge his deep scholarly debt to Professor Bertie Wilkinson who several years ago not only greatly inspired his interest in fourteenth-century England and in John Wyclif in particular, but also kindly and judiciously directed his researches into that person's writings and opinions.

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CHAPTER I

Wyclif's Intellectual Heredity

In attempting to understand someone's philosophy, especially his philosophy of government and society, it is necessary to know something of this person's background as well as of his own books. If this is of importance for a study of those who write in our own times, it is even more necessary for writers whose lives were passed amidst a society some of whose commonest features have disappeared. True, it is quite possible to exaggerate the importance that heredity plays in the life of a man; but in evaluating his theory, the part that "intellectual heredity" takes in the development of his doctrines should not be forgotten.

As will be noted later on, the progress of modern research has tended more and more to narrow the compass of Wyclif's political influence and to point out that his originality is more limited than hitherto realized by many of his biographers. This is actually saying nothing more than that Wyclif, to a large extent, was a man of his own times. It will be helpful then to recall some of the elements which go to make up his intellectual background, especially his "English heredity." These should aid us in understanding the ideas found in Wyclif's writings.

When Wyclif's doctrines are read in his own words it does not take long to realize that he looked upon Augustine as his teacher in many things; and it is Augustine whom he thanks for

enlightening his understanding in a special way.[1] The influence of the Augustinian tradition, then, should not be overlooked either in Wyclif's theological or political theories.

POLITICAL AUGUSTINIANISM

The appearance of the *Politics* of Aristotle in accessible form to Western scholars is one of the great events in the history of political theory. But although the *Politics* did exert a very great influence on many thinkers, it is well to remember that the Augustinian "school" of theology did not suddenly close up shop. There was no sudden disappearance of that group of thinkers in matters theological and political whom modern writers, for want of a better term, have dubbed "political Augustinians."[2] The characteristics of Augustinianism as a whole have been detailed in a famous passage of Mandonnet's:

> Absence d'une distinction formelle entre le domaine de la philosophie et de la théologie, c'est-à-dire entre l'ordre des vérités rationnelles et celui des vérités révélées. Quelquefois, les deux ordres sont fusionnés pour constituer un sagesse totale, en partant de ce principe que les vérités possédées par les anciens philosophes sont le résultat d'une illumination divine et qu'à ce titre elles font partie de la révélation totale. D'autres fois, les domaines de la philosophie et de la théologie sont affirmés comme distincts de droit, mais on n'arrive pas de fait à assigner un principe capable de sauvegarder cette distinction. Mème tendance, d'ailleurs, à effacer

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[1] J. Wyclif, *De dominio divino*, edited by R. L. Poole (London, 1890), I, ix, 63: "Non enim possum demonstrare vel intelligere creaturam, nisi demonstrando et intelligendo Deum. Et diu fuit antequam ex Scripturis intellexi istam sentenciam de ydeis; quam cum illustratus a Deo perfunctorie repperissem, cum gaudio gracias egi Deo, cum suo famulo Augustino, et aliis quos Deus eternaliter ordinat ad hoc ministerialiter me juvare." See also E. Gilson, *History of Christian Philosophy in the Middle Ages* (New York, 1955), p. 771 and J. A. Robson, *Wyclif and the Oxford Schools* (Cambridge, 1961), pp. 144, 148.

[2] A much-quoted work on the subject is H.-X. Arquillière, *L'Augustianisme politique* (Paris, 1934). On the importance of the *Politics* of Aristotle to medieval thought see the remarks of W. Ullman, *Principles of Government and Politics in the Middle Ages* (New York, 1961), pp. 231 ff.

> la séparation formelle de la nature et de la grâce. C'est ce fait de l'absorption de l'objet de la philosophie dans celui de la thèologie, qui a fourni le prétexte et aussi une demi-justification à ce grief si souvent renouvelé, que les scolastiques n'ont pas su aborder les problèmes scientifiques indépendamment du dogme, et mème que leur philosophie ne doit pas trouver place dans l'histoire de cette science. Mais cette accusation, qui a un fondement réel chez les théologiens augustiniens, n'a plus de raison d'etre à l'égard de l'école thomiste.[3]

Applying this description to political Augustinianism, Arquillière sees its characteristic as the "tendance à absorber le droit naturel dans la justice surnaturelle, le droit de l'Etat dans celui de l'Eglise."[4]

At any rate there grew up the typically medieval concept of Christendom. This considered Christendom as comprising two orders, the clergy and the laity, who are as two parts of a body. The clergy, who are in charge of religious interests and whose power is divine, is termed the spiritual power. The laity, whose mission is the care of earthly things and whose power is earthly, is named the secular power. Each has a hierarchy of officials, one under the presidency of the pope, the other under the king.[5] St. Bonaventure is an outstanding proponent of this *respublica christiana*, that is of a "political unity founded upon a unity of faith, comprising the double hierarchy of princes and priests mystically guided by the hierarchy of the religious, all under the headship of the pope."[6]

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[3] H. P. Mandonnet, *Siger de Brabant et l'Averroïsme latin au XIII^e siècle* (Louvain, 1911), Partie I, p. 55. See also E. Gilson, *Introduction a l'étude de Saint Augustin* (Paris, 1943), pp. 299 ff.

[4] Arquillière, *L'Augustianisme politique*, p. 4.

[5] This is a paraphrase of the doctrine of Alexander of Hales as contained in his *Summa theologica* (Quaracchi, 1924-1948), IV, Pars II, Inq. III, Tract II, Sect. ii, Quaest. ii, Titulus i, Membrum i, Caput ii, Respondeo no. 478, p. 704.

[6] G. de Lagarde, *La naissance de l'esprit laïque au déclin du moyen-âge* (Paris, 1934-1946), III, 141.

With the introduction of Aristotle's *Politics* into Western thought, changes of emphasis begin to appear. Nevertheless, any clear-cut division between an Augustinian and an Aristotelian school in the years following St. Thomas' death in 1274 has now been shown to be without solid foundation. Franciscans and Dominicans both had scholars who were neither entirely Aristotelian nor entirely Augustinian. Henry of Ghent and Peter of Aureolus, usually classed as Augustinians, propose a political theory shot through with Aristotelianism. On the other hand, the writings of Giles of Rome, a pupil of St. Thomas and a decided Aristotelian, show certain definite characteristics of "political Augustinianism."[7]

Giles of Rome is of special interest in this matter, for he became an outstanding exponent of the theory of lordship and dominion. His works were to the Austin friars what those of Thomas were to the Dominicans, for at the general chapter of the Austin friars in 1287 it was decreed that "all lecturers and students of the order shall accept and defend with all possible zeal every opinion, position or sentence that our venerable master, Brother Giles, has written *or shall write*."[8] The Austin friars' opinions were well known at Oxford, and Wyclif would be conversant with them.[9]

It is then important to keep in mind the strength of traditional political concepts when approaching a study of Wyclif's political theory. In discussing a medieval English thinker demanding that the king or prince step in and reform the clergy of some diocese or city, a modern scholar has a natural tendency to evaluate these opinions by what he knows today as "separation of church and state," or by his knowledge of the royal su-

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[7] *Ibid.*, III, 394 ff. See also Gilson, *History of Christian Philosophy*, pp. 411 ff.

[8] A. Gwynn, *The English Austin Friars in the Time of Wyclif* (Oxford University Press, 1940), p. 38 (Italics added). He also quotes the Latin text in full.

[9] *Ibid.*, pp. 211 ff.

premacy in England as it was worked out in the sixteenth and seventeenth centuries. But it should be remembered that the medieval thinker was probably looking *backward*—backward, for instance, to Charlemagne and to what that great monarch thought St. Augustine meant as he listened at table to the reading of the *City of God.*

THE "ENGLISH SCHOOL"

Among the English thinkers who preceded Wyclif three may be singled out as examples of varied political thought with which he would be at least somewhat familiar. All three writers belong to a period much earlier than Wyclif, but they were representative of what some term the "English School."[10]

First there is John of Salisbury (c. 1125-1180), who is usually remembered for his possession of the "doubtful honor of presenting the first explicit defence of tyrannicide in medieval political literature."[11] It is sometimes forgotten, however, that John also attributed to the king the dignity of being God's representative on earth and the one who bears a special likeness to the Divine Majesty.[12] But kings are not absolute in their power; they too are subject to law, as John very clearly states.

> Between a tyrant and a prince there is this single or chief difference, that the latter obeys the law and rules the people by its dictates, accounting himself as but their servant. It is by virtue of the law that he makes good his claim to the foremost and chief place in the management of the affairs of the commonwealth . . .[13]

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[10] B. Landry, *L'Idée de Chrétienté chez les scholastiques du XIII^e siècle* (Paris, 1929), p. 52.

[11] G. H. Sabine, *A History of Political Theory* (New York, 1937), p. 247.

[12] John of Salisbury, *Policraticus*, I, i; in *Ioannis Saresberiensis episcopi Carnatensis Policratici*, edited by C. C. J. Webb (Oxford University Press, 1909), p. 513d: "Est ergo, ut eum plerique definiunt, princeps potestas publica, et in terris quaedam divinae majestatis imago."

[13] *Policraticus*, IV, i; in *The Statesman's Book*, translated by J. Dickinson (New York, 1927), p. 3.

> Now there are certain precepts of the law which have a perpetual necessity, having the force of law among all nations, and which absolutely cannot be broken with impunity . . . Let the white-washers of rulers . . . trumpet abroad that the prince is not subject to the law, and that whatsoever is his will and pleasure, not merely in establishing law according to the model of equity, but absolutely and free from all restrictions, has the force of law . . . Still I will maintain . . . that kings are bound by this law.[14]

John would have found friends amidst the members of English parliaments which assembled during the latter decades of the fourteenth century.

Then there is Robert Grosseteste (1175-1253), Bishop of Lincoln, who has been called the founder of the "Oxford School."[15] He is one of Wyclif's most quoted authorities. Grosseteste thus proposes the traditional medieval conception of Christendom. The kings are to understand that both the material and the spiritual swords belong to Peter, although he uses directly only the spiritual. The temporal he has confided to the princes. But the distinction of the two powers was not present in the Old Testament; it was laid down by Christ, who wished that his kindness should be a dominant characteristic of the ministers of his Church. Hence he did not wish them to exercise immediately the temporal power. Moreover, the care of temporal things would distract them from their spiritual duties.[16] These statements are of importance for the student of Wyclif's theory; for he often makes use of similar thoughts, as will be seen.

The pope is supreme head, and the more elevated one's rank the greater should be one's submission to him.[17] Nevertheless, although the pope is all-powerful on earth, he is not a despot. If the Holy See should abuse its power, Grosseteste would refuse

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[14] *Ibid.*, IV, vii; *The Statesman's Book*, p. 33.

[15] Landry, *L'Idée de Chrétienté*, p. 52.

[16] *Grosseteste episcopi quandam Lincolniensis epistulae*, edited by H. R. Luard (London, 1861), pp. 91-92.

[17] *Ibid.*, p. 126.

to obey. It should be noted that this last statement is taken from a letter, whose authenticity has been questioned, which deals with the case of appointment to an English benefice.[18] Grosseteste quite naturally was not anxious to see limitations of this kind placed upon episcopal power. In similar manner, although he liked and admired the new orders of friars, their privilege of exemption clashed with his conception of episcopal jurisdiction. "A bishop submissive to the pope but also a bishop careful of his rights—such was Robert Grosseteste."[19]

Lastly there is Roger Bacon (1214?-1292?), one of the medieval philosophers and theologians most difficult to classify. All his life long Roger kept a great admiration for his master, Robert Grosseteste, to whom he owed much of his traditional Augustinian thought as well as his love of mathematics. It was of the Church that Roger thought continually, and it caused him much grief that clerics paid so much attention to civil law. He felt that canon law was the law which clerics should heed; and that over all other sciences, theology was the queen. A science taken by itself and without connection with theology, even if it be philosophy, was useless, even wicked.[20] Roger Bacon, it has been pointed out, believed that science would be very helpful to the Church; for its ultimate value was to be in service of the Church and to help the Church to preach the gospel to mankind by bringing men to the knowledge of scientific truth. This in turn would lead them to the contemplation of God, already revealed in theology.[21]

These are theological opinions and trends of thought which some consider distinctive of the "Oxford School." They form

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[18] Landry, *L'Idée de Chrétienté*, p. 57.

[19] *Ibid.*, p. 58.

[20] R. Bacon, *Opus majus*, edited by J. H. Bridges (Oxford, 1897-1900), I, 56, 64.

[21] Landry, *L'Idée de Chrétienté*, p. 76. See Stewart C. Easton, *Roger Bacon and His Search for a Universal Science* (New York, 1952), pp. 21, 218-19, passim; Gilson, *History of Christian Philosophy*, pp. 294 ff.

part at least of the intellectual inheritance to which a student at medieval Oxford might fall heir, and if similar lines of thought are noted in Wyclif's writings, one should not be surprised.

THE UNIVERSITY WORLD

It must be remembered that the University of Oxford was not merely a national institution; it was the intellectual mother of many a European scholar. This is shown, for example, by the later influence of Wyclif's own writings in Bohemia, brought about through the mediation of Czech students at Oxford.[22]

An example of this recognized universality was the bull of Innocent VI, issued in June of 1355 at the request of the Augustinian prior general. In it the pope points out the need of insistence on a high standard of education for those who are to be entrusted with the work of preaching and hearing confessions; and he ordains that there shall be no more than three *studia generalia* in the order; one at Paris, one at Oxford, and one at Cambridge.[23] The limitation to these three universities, two of them in England, to the exclusion of Continental universities is significant, although ten years later this policy was relaxed and Toulouse, Bologna, Padua, and Florence were added to the list of *studia generalia* of the order. This papal pronouncement of 1355 goes far to explain the appearance of a large number of Italian friars at Cambridge and Oxford at this time.[24]

Such an influx of students would undoubtedly help to keep the professors and student body aware of opinions and writings current in the Italian centers of learning, and would naturally

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[22] This is brought out in the article of O. Odlozilnik, "Wycliffe's Influence on Eastern and Central Europe," *Slavonic Review*, VII (1929), 634-48. On the medieval university in general see L. J. Daly, *The Medieval University* (New York, 1961).

[23] H. Denifle and E. Chatelain, *Chartularium universitatis Parisiensis* (Paris, 1889-1897), III, 36; Gwynn, *Austin Friars*, p. 32.

[24] Gwynn, *Austin Friars*, pp. 32-33.

facilitate the transmission and discussion of the more novel or radical opinions. These opinions would have had interest for and influence on John Wyclif.

To enable the reader to gain an idea of some of the various political currents of the fourteenth century, certain aspects of the theories of four influential writers and teachers will be of service. Those chosen represent four quite different viewpoints, and each one of them influenced political philosophers in various ways. Taken together, these viewpoints present an interesting cross section of political theory previous to and during the lifetime of John Wyclif, opinions of which he would be more or less cognizant.

JOHN OF PARIS (d. 1306)

Like many another medieval scholar, most of the details of Jean Quidort's life are unknown to us. That he studied at Paris, entered the Dominican order at an unknown date, and was twice under theological censure (1284 and 1304) practically sum up the data we hold.[25] He may have possessed a "vast erudition,"[26] but the present state of our knowledge of his works forbids much generalization. Fortunately we do have a clearer knowledge of the political theory of John of Paris than of his other philosophical and theological theories, for his treatise *De potestate regia et papali* is now available in Leclerq's edition,[27] and a useful summary of much of his theory is found in the fifth volume of

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[25] P. M. Schaff, "Jean Quidort"; in *Dictionnaire de théologie catholique*, VIII, I, col. 840. See the recent monograph of Dom Jean Leclerq, O.S.B., *Jean de Paris et l'Ecclesiologie du XIII^e siècle* (Paris, 1942); Marc F. Griesbach, "John of Paris as a Representative of Thomistic Political Philosophy"; in *An Etienne Gilson Tribute* (Milwaukee, 1959), pp. 33-50; Gilson, *History of Christian Philosophy*, pp. 413, 731.

[26] V. F. O'Daniel, "John of Paris"; in *Catholic Encyclopedia*, VIII, 475.

[27] Leclerq has given us a modern edition of the treatise *De potestate regia et papali* in *Jean de Paris*, pp. 168-260; the following citations are from Leclerq's edition.

R. W. and A. J. Carlyle's *A History of Mediaeval Political Theory in the West.*[28]

The treatise shows John of Paris a close follower of Aristotle, but of Aristotle as he understood him. The reader looks in vain for lengthy proofs from Sacred Scripture or the fathers of the Church. They are not to be found in this treatise, which in itself is a significant fact.

In his introduction, John of Paris points out that very often those who steer clear of one error get so far over on the narrow road of truth that they go off the other side.[29] He proposes to follow a middle-of-the-road policy. Although John does not say it openly, the reader feels that the Aristotelian dictum of the scholastics, *in medio stat virtus*, is never far from his mind. Of the two extreme positions, the "Waldensians" say that it is contrary to the very nature of the Church to possess temporal things and temporal riches; while the "Herodians" maintain that the pope, inasmuch as he is the vicar of Christ, has the lordship of secular property and authority. In fact the pope has it in a more excellent way because he holds it directly from God, while the prince holds it mediately from the pope.[30]

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[28] R. W. Carlyle and A. J. Carlyle, *A History of Mediaeval Political Theory in the West* (London, 1903-1936), V, 420-37.

[29] *De potestate regia et papali*, line 1; in Leclerq, ed., *Jean de Paris*, p. 173: "Interdum contingit quod vitare volens aliquem errorem delabitur in errorem contrarium."

[30] *Ibid.*, pp. 173-74: "Nam error Valdensium fuit, successoribus apostolorum, scilicet, pape et prelatis ecclesiasticis repugnare dominium in temporalibus, nec eis licere habere divitias temporales . . . Alius vere fuit error Herodis qui audiens Christum regem natum credidit ipsum esse regem terrenum. Ex quo derivari videtur opinio quorundam modernorum, qui in tantum supradictum errorem declinat ad oppositum totaliter deflexi ut asserant dominum papam in quantum est loco Christi, in terris habere dominium in temporalibus bonis principum et baronum, et cognitionem et jurisdictionem. Dicunt etiam quod hanc potestatem in temporalibus habet papa excellentius quam princeps quia papa habet eam secundum primariam auctoritatem et a Deo immediate, princeps autem habet eam Deo mediante papa."

John's *via media* is as follows: It is not against the nature of the Church and her prelates to hold temporal things and dominion. Such dominion and possessions, however, do not come to them by reason of their state, but it can be fitting for them to have such by grant and permission of the secular princes, if they have received them out of devotion or possess them by another title.[31] It is to be noted that John of Paris does not apparently hereby recognize an absolute property right as such; since what prelates hold they hold on the grant and permission of the secular ruler.

Then he goes on to prove the natural institution of the state, seemingly directly from Aristotelian principles. As a matter of fact, it would seem that he has incorporated, bodily and without saying so, the first and second chapters from the first book of St. Thomas' *De regno*.[32] But John has made some interesting changes.[33] He shows that some regimen is necessary, since a man living alone cannot provide for himself as regards food, clothing, and defense, as he can in a city or kingdom.[34] Next, although

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[31] *Ibid.*, p. 175: "Inter has ergo opiniones tam contrarias, quarum primam erroneam omnes putant, puto quod veritas medium ponit, quod scilicet praelatis ecclesiae non repugnat habere dominium in temporalibus et jurisdictionem, contra primam opinionem erroneam. Nec tamen eis debetur per se ratione status sui et ratione qua sunt vicarii Christi et Apostolorum successores. Sed eis convenire potest, habere talia ex concessione vel permissione principum, si ab eis ex devotione aliquid huiusmodi collatum fuerit eis, vel si habuerint aliunde."

[32] The title *De regno* is apparently original and seems fully borne out by the prologue to the work itself. See *St. Thomas on Kingship*, translated by G. B. Phelan and revised by I. Th. Eschmann (Toronto, 1949), pp. ix-xiv.

[33] Consult the Griesbach article in *An Etienne Gilson Tribute*, pp. 33-50.

[34] Leclerq, ed., *Jean de Paris*, p. 177: "Nam cum 'homo sit animal naturaliter politicum seu civile' ut dicitur in I *Politicorum*, quod ostenditur secundum Philosophum oritur ex victu, vestitu, defensione, in quibus solus sibi non sufficit, et etiam a sermone qui est ad alterum, que soli homini debentur, necesse est homini ut in multitudine vivat et tali multitudini que sibi sufficiat ad vitam, cujusmodi non est communitas domus vel vici sed civitatis vel regni, nam in sola domo vel vico non inveniuntur omnia ad victum vel vestitum et defensionem necessaria ad totam vitam sicut in civitate vel regno."

he clearly distinguishes aristocracy and polity, John proceeds to show that monarchy is the most useful and necessary type of government; for it is stronger, grants more secure peace, looks more to the common good, and is similar to the single uniting and directing principle in man himself.[35]

John of Paris seems to regard man's actual original condition as solitary and perhaps asocial, for he quotes both Orosius and Cicero in this regard.[36] It has been noted that Cicero knew two theories. According to one, men were by nature solitary and had no inclination to the society of their fellowmen, but because of the dangers of life were forced to join together in defense. The other theory clearly held that men were naturally inclined to the society of one another.[37]

Perhaps we might say that John of Paris believed man lived originally in a state of isolation which was unnatural to him; but by the use of his reason he became convinced of the utility of the social life, and thus society was established. Hence it was

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[35] *Ibid.*, p. 177: "Est autem utilius regimen multitudinis per unum qui preest secundum virtutem quam per plures vel paucos virtuosos, quod patet tum ex potentia nam in uno principante magis est virtus unita et ideo fortior est quam in pluribus dispersa, tum ex unitate et pace que intendi debet in regimine multitudinis, que non est nisi fuerint uniti et concordes si vero propter quod unum quodque tali et ipsum magis, talis unicus principans secundum virtutem magis poterit servare pacem . . . tum etiam, quia princeps unus intendens ad bonum commune habet oculum ad magis commune, quam si plures dominentur, etiam secundum virtutem . . . tum quia in naturali regimine videmus totum regimen ad unum reduci ut in mixto corpore unum elementum dominatur: in humano corpore etherogeneo, unum est principale membrum in toto homine et anima continet omnia elementa; animalia etiam gregalia, quibus naturale est in societate vivere, subsunt uni regi."

[36] *Ibid.*, p. 177: "Et patet etiam quod hoc regimen derivatur a jure naturali, ex eo scilicet quod homo est naturaliter animal civile seu politicum et sociale in tantum ut ante Belum et Ninum qui primitus regnaverunt, homines non naturaliter nec ut homines sed more bestiarum sine regimine vivebant ut narrat quosdam vixisse Orosius primo suo libro *Contra paganos*. Et Tullius consimilia dicit in principio *Veterus rhetorica*."

[37] Carlyle, *A History of Mediaeval Political Theory in the West*, I, 13.

derived, not only from the law of nature, but also from the "law of nations."[38]

The kingdom is established by reference to the common good; there is no question of proving it by means of the authority of the Old Testament. It is due to a natural instinct, which is from God, that men live in communities. There is to be one head for the Church; but when it comes to the civil power John of Paris does not say that there is to be one head. On the contrary, there are several kingdoms and the heads of these kingdoms do not need to be reduced to one.[39] This is a significant statement and marks an important departure from traditional medieval political thought. John is, it would seem, a French subject of a French king.

John of Paris next discusses the problem of the papal title with regard to possession of the properties of the Church. He decides that the pope is dispenser but not possessor (*dominus*) in the full sense. The universal Church has proprietorship over these properties, and the separate communities and churches have dominion over their own.[40]

Returning to the question of relationship between the spiritual and temporal powers, he sees them both as coming from the hands of Christ our Lord, and harks back to the famous text

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[38] Leclerq, ed., *Jean de Paris*, p. 178: "Et sic patet quod hujusmodi regimen a jure naturali et gentium derivatur."

[39] *Ibid.*, p. 180: "Non sic autem fideles laici habent ex jure divino quod subsint uni monarche supremo in temporalibus: sed ex naturali instinctu qui ex Deo est habent ut civiliter et in communitate vivant et ut per consequens, ut ad bene vivendum in communi rectores eligant diversos quidem secundum diversitatem communitatum. Quod autem omnes ad unam supremam monarchiam in temporalibus reducantur nec ex inclinatione naturali nec ex jure divino habent neque eis ita convenit sicut ministris ecclesiasticis."

[40] *Ibid.*, p. 186: "Scilicet dominum papam ideo ipse tamquam caput et supremum membrum universalis ecclesiae est universalis dispensator omnium generaliter bonorum ecclesiasticorum spiritualium et temporalium: non quidem quod sit dominus eorum, sed sola communitas universalis ecclesiae est domina et proprietaria omnium bonorum generaliter, et singulae communitates et ecclesiae dominium habent in bonis sibi correspondentibus."

of Gelasius;[41] both powers are distinct and both immediately from God.[42] He concedes that the *sacerdotium* is greater in spiritual matters, but the king is greater in temporals; and when it comes to the problem of temporal priority of origins, he states that kings were in existence before priests and that the French kings were in France before Christianity came to that country. Therefore John of Paris maintains that regal power neither in itself nor with regard to its execution is from the pope, but from God and from the people electing a king either in person or in his family.[43]

Chapters twelve to twenty-one of the *De potestate regia et papali* contain a summary of the arguments used by the extremists on the papal side and the answers to these arguments. While admitting that the pope may depose a heretical king, John applies the theory vice versa to say that an incorrigible pope can be deposed by a prince through the instrumentality of the cardinals.[44] Should the prince transgress his temporal power in temporal matters, the question is one for the barons to settle; but if they cannot or dare not, they may request the help of the

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[41] Gelasius I, Epistola VIII; in J. P. Migne, editor, *Patrologia latina*, LIX, 42: "Duo quippe sunt, imperator auguste, quibus principaliter mundus hic regitur: auctoritas sacrata pontificum, et regalis potestas." See A. K. Ziegler, "Pope Gelasius I and His Teaching on the Relations of Church and State," *Catholic Historical Review*, XXVII (1942), 412-37.

[42] Leclerq, ed., *Jean de Paris*, p. 195: "Et ideo non oportet si Christus etiam secundum quod homo utramque potestatem habuit quod utramque Petro contulit sed spiritualem tantum Petro contulit, et corporalem Caesari dimisit, quam a Deo accepit."

[43] *Ibid.*, p. 199: "Item prius fuit potestas regia secundum se et quantum ad executionem quam Papalis et prius fuerunt reges quam Christiani in Francia. Ergo potestas regia nec secundum se, nec quantum ad executionem est a papa sed est a Deo et a populo regem eligente in persona vel in domo sicut ante."

[44] *Ibid.*, p. 214: "Sic etiam e contra si papa esset criminosus et scandalizaret ecclesiam et incorrigiblis esset, posset princeps ipsum excommunicare indirecte et deponere ipsum per accidens, monendo scilicet ipsum per se vel per cardinales."

Church.[45] In disposing of the arguments of the two swords, John simply points out that it is an allegorical interpretation and cannot be used as a proof.[46] The donation of Constantine he, as other medieval writers, accepts as genuine. This scholar points out, however, that the donation refers to a part of the Empire only, that it is invalid for juridical reasons, and that it does not in any case refer to France, for the Franks were never part of the Roman Empire.[47]

Thus at the very beginning of the fourteenth century we find a treatise setting forth a political theory envisioning the temporal power as shared by many separate and independent kingdoms, while the spiritual power is in one universal Church under one head. Kings are masters in temporals and the popes in spirituals; and although the pope can depose a king and the king can call on and aid the cardinals in deposing an incorrigible pope, neither are so acting by virtue of their office. Our author brushes aside the argument of the two swords as an allegory and the donation of Constantine as invalid and limited. In some respects at least John of Paris seems to have dimly outlined the modern national and sovereign state.

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[45] *Ibid.*, p. 214: "Ubi vero rex peccaret in temporalibus quorum cognitio ad ecclesiasticum non pertinet, tunc non habet ipsum corrigere primo, sed barones et pares de regno qui, si non possunt vel non audent, possunt invocare auxilium ecclesiae: que, requisita a paribus in subsidium juris, potest monere principem et procedere contra ipsum modo predicto."

[46] *Ibid.*, p. 232: "Quod dicitur . . . de duobus gladiis . . . respondeo: non est hic nisi quedam adaptatio allegorica, ex qua non potest sumi argumentum."

[47] *Ibid.*, pp. 244, 246: "Primo quidem quia dicta donatio non fuit nisi de portione determinata in qua Francia non includebatur, nec translatio fuit facta totius imperii sivi monarchie mundi ad germanos, cum etiam post translationem predictam, que fuit magis divisio imperii vel novi imperii appelatio quam translatio, remanserunt adhuc imperatores apud graecos.

"Secundo quia dicta donatio nihil valuit propter quatuor que in *Glossa civilis juris* ponuntur . . . Tertio apparet quod ex dicta donatione nihil habet Papa super regem Francie, dato etiam quod valuisset et generalis de toto imperio fuisset, quia licet gallici inveniantur tempore Octaviani Augusti per quedam Romanis fuisse tamen franci nunquam."

GILES OF ROME (c. 1247-1316)

Giles of Rome is usually, and it would seem too easily, classed as a close follower and propagator of the views of St. Thomas on philosophy and theology.[48] If the question is narrowed down to his general political theory as exemplified in *De ecclesiastica potestate*, it is clear that Giles is not an accurate proponent of the political views of St. Thomas.

The political thought of Giles as evidenced in this work centers about the idea of *dominium* or ownership. He applies his principles ruthlessly and deduces conclusions manifestly at variance with the actual conditions in the world about him. Giles possessed a rigorous logical skill, more suitable to a mathematician than to a political philosopher. This rigor of a logic untempered by reality he applied to his political theory with disastrous results. He lacked the power of adaptation; hence his doctrine aided in provoking a reaction which, in its turn, rushed to the other extreme.

In his time and in his own field Giles was looked upon as a great theologian. The opinion of the members of his own order was such that his doctrine was made the official doctrine of the order, the Hermits of St. Augustine, during his own lifetime; and works which Giles might write in future were elevated to this rank before publication.[49] That Giles was an influential scholar of his time in other fields as well is instanced by his treatise on embryology (*De formatione corporis humani in utero*) and the discussion of the art of war in his *De regimine principum*.

The position of Giles as a political theorist is far from clear. In his treatise *De ecclesiastica potestate*, the one usually referred

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[48] P. Nash, "Giles of Rome, Auditor and Critic of St. Thomas," *Modern Schoolman*, XXVIII (1950), 1-20; Gilson, *History of Christian Philosophy*, pp. 416 ff., 735 ff.

[49] Denifle-Chatelain, *Chartularium universitatis Parisiensis*, II, 512, n. 542. See also the informative article "Colonna, Egidio"; in *Catholic Encyclopedia*, IV, 127.

to when characterizing his political theory, Giles seems to show himself quite opposed to his earlier views as expressed in the treatise *De regimine principum.* This earlier treatise was quite Aristotelian in tone and was written for his tutorial pupil, the future Philip IV. Modern scholars differ in their opinion of the true position of Giles.[50]

The following brief summary of his doctrine as presented in *De ecclesiastica potestate* shows us an interesting example of the extreme clericalism which was advocated by some ecclesiastical writers. It should be remembered, however, that this work and the others mentioned in this survey are not dispassionate essays. They were written in the midst of bitter controversy and quite possibly suffer from their environment.

Giles tells his reader that he is writing only for Christians; a very significant statement, and one that his modern readers must keep in mind.[51] Thus he is writing a political philosophy which moves entirely within the faith. His treatise is not systematically built up throughout; and he constantly repeats certain axioms of his own in a way that makes the reader painfully conscious of being at the mercy of a teacher for whom the maxim "Repetitio est mater scientiae" has become almost an obsession.

He begins with a classic formulation of the medieval concept of a universal empire within which there are two powers, the spiritual and the temporal, but the predominance of the spiritual is evident from the outset.[52] His world is a Christian world,

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[50] See, for instance, J. Rivière, *Le problème de l'église et de l'état au temps de Philippe le Bel* (Louvain, 1926), p. 224; Aegidius Romanus, *De ecclesiastica potestate*, edited by R. Scholz (Weimar, 1929), pp. v-xiv, especially p. xiii, n. 2.

[51] *De ecclesiastica potestate*, Lib. II, 5; Scholz ed. (Hermann Böhlaus Nachfolger), p. 55: "De hoc ergo est nostra questio, qualiter Deus mandavit, quod constitueretur rex super fideli populo. Nam in hoc tractatu hominibus fidelibus loquimur, quia nihil ad nos de hiis quae foris sunt."

[52] *Ibid.*, I, 5; p. 17: "Bene ergo ordo, pulcherrimus universi relucet in ecclesia et inter fideles, ut sicut ibi corpora inferiora reguntur per superiora et tota substancia corporalis per spiritualem, ipsa autem spiritualis per Deum, sic et in

and the aim of princes in using the "material sword" ought to be for the good of the faith and the increase of spiritual goods.[53] But soon there enters into his discussion the term *dominium*.[54] This term then permeates the entire work. Giles is interested in a world of conflicting dominions; the aim of government is the protection of the possessor in his juridical rights, ownerships, and possessions.[55] From this viewpoint Giles seeks a final judge and arbitrator of these conflicting claims and he finds him in the pope.[56] But it must be noted that, although Giles uses the term *ecclesia* in the older medieval sense of a universal empire, within which framework two powers move and have their being, he soon applies what was said of *potestas spiritualis* to the Church, using the word *ecclesia* much like our ordinary acceptation of that word today.[57]

In his discussions about the superiority of the spiritual over the temporal he once again stresses his policy of speaking only to Christians; and points out that for them the idea of kingship and what it means must be sought in the Old Testament. It is in the Old Testament that one finds God sanctioning kings; hence kingship comes after, and through, the priesthood. Though Giles

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ecclesia domini temporales et inferiores reguntur per superiores, universa autem temporalis et terrena potestas per spiritualem et potissime per summum pontificem: summus autem pontifex a solo Deo poterit iudicari."

[53] *Ibid.*, I, 8; p. 29: "Sic et modo principes seculares in hiis quae pertinent ad materialem gladium debent esse sub ecclesia, quia ad opus ecclesiae, in bonum fidei, in augmentum spiritualium bonorum debent uti hujusmodi gladio."

[54] *Ibid.*, II, 4; p. 48: "Intendimus in hoc capitulo declarare quod omnia temporalia sub dominio et potestate ecclesiae collocantur." This is a good summary of most of the book.

[55] The entire second book of the treatise exemplifies this. *Ibid.*, II, 7; p. 71: "Nam sic volumus jura ecclesiastica describere et reddere quae sunt Dei Deo, ut etiam reddantur quae sunt Cesaris Cesari, et ut reges et principes habentes materialem gladium suis juribus non priventur."

[56] *Ibid.*, I, 8; p. 30. See also note 52 *supra.*

[57] *Ibid.*, I, 9; p. 31: "Quod decet ecclesiam habere materialem gladium, non ad usum, sed ad nutum, et quod sic habere hujusmodi gladium est maioris perfectionis et excellencie pocioris."

refers to the *Politics* of Aristotle, his arguments are drawn from Scripture, ecclesiastical history, and the theologians.[58]

In his explanation of the relationship between the spiritual and temporal power Giles does not use an indirect power theory, but rather a "general power" one. The temporal *as* temporal is subject to the spiritual power, by which he explains that he means that temporal things are subject to spiritual (*per se sed non primo*) because they have the reason in themselves why they are subordinate and ordered to spiritual things.[59] The spiritual sword has a universal dominion over the temporal.[60] He not only echoes St. Bernard's famous dictum that there are two swords in the Church, one it has *ad manum*, the second *ad nutum*,[61] but Giles contends that *ad nutum* means that the spiritual power has the secular sword in even a better way than the temporal power itself, since it has the power of commanding it.[62]

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[58] This type of argument is difficult for modern students to understand. In the introduction to *Medieval Contribution to Political Thought*, by A. Passerin D'Entrèves (Oxford University Press, 1939), F. M. Powicke says: "A history tutor complained to me, a little while ago, that he found great difficulty in helping his pupils to read Locke intelligently, because they did not relate his thought to anything. My friend said, indeed, with pardonable exaggeration: 'It is not only that they don't see why Locke should refer to the Scriptures; they don't know what the Scriptures are.'"

[59] *De ecclesiastica potestate*, Lib. III, 4; Scholz ed., p. 162: "Dicemus ergo, quod, ut in prima parte hujus operis dicebamus, temporalia, ut temporalia sunt, ecclesiae sunt subjecta; quod non est intelligendum, quod ipsa temporalia per se et primo ecclesie sunt subjecta, sed intelligendum est quod sunt subiecta ecclesie per se sed non primo. Dicitur enim esse aliquid per se, quando est hoc per causam existentem in se. Ipsa enim temporalia in se ipsis habent causam, ut subiciantur spiritualibus et ut ordinentur ad illa. Non est ergo per accidens sed est per se et per causam existentem in se quod temporalia sunt sub spirituali potencia collocata."

[60] *Ibid.*, II, 10; p. 90: "Quia ergo spiritualis gladius potest de omnibus temporalibus judicare, habet super temporalibus universale dominium jurisdictionale et potestativum quia vero potest de omnibus temporalibus metere, habet universale dominium utile et fructiferum."

[61] Saint Bernard, *Epistola ad Conrad;* in *Patrologia latina*, CLXXXII, 440.

[62] *De ecclesiastica potestate*, Lib. I, 9; Scholz ed., p. 34: "Est evidenter ostensum, quod maioris perfeccionis et excellencie et per consequens maioris decencie

In the last chapter the author rises to a climactic claim of papal supremacy which far exceeds the traditional doctrine; real dominion can only be had through the possession of justice, which in turn can only be had under, and by means of, the Church. Since the pope holds the plenitude of power in the Church, he possesses the plenitude of *dominium*. Into his concept of *dominium* Giles crams a wide variety of juridical rights and ownerships.

Although he uses old and traditional terminology, Giles's whole concept of dominion seems to herald something novel. His idea of the civil power reminds one of a policeman who protects juridical rights and dominions of all sorts. The theory of the secular power as the defender of the spiritual is present, but what it defends is *dominium*. Because of this central idea of dominion, and the concept of the state as a power (*potentia*), some have felt that Giles of Rome is no longer speaking the older scholastic language, but that his world is a world of conflicts, and the stronger power is the spiritual. In this view then, despite his description in traditional terms of the medieval universal *respublica christiana*, Giles no longer really has a *respublica*, and his theory seems to be approaching that of the modern state. It is quite possible, however, that the one who least suspected it was Giles of Rome.[63]

MARSILIUS OF PADUA (1280?-1343?)

Much has been written about Marsilius, and all writers single him out as important, whether for praise or blame. Professor McIlwain has remarked that his work *Defensor pacis* "is the first book which reverses the process and regards the Church as a de-

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est habere materialem gladium ad nutum, secundum quem modum habet potestas ecclesiastica quam habere ipsum ad usum prout habet potestas terrena."

[63] This assumes that Giles really changed his political ideas after writing his earlier treatise.

partment of state in all matters of earthly concern."[64] Nor did Marsilius limit his theory to matters of earthly concern only. However, this brief sketch considers only points which are of interest in the explanation of John Wyclif's own theories.

Of the early life of Marsilius few details are known to us. One of the rare facts is that he was rector of the University of Paris, 1312-1313.[65] It is also said that, while hesitating between law and medicine, he was persuaded to become a professional soldier for some time. At any rate these varied pursuits did not turn away his mind entirely from philosophizing. His most important work, *Defensor pacis* (1324),[66] immediately established him in the forefront of the battle between the Holy Roman emperor Louis of Bavaria and Pope John XXII.

Marsilius follows an Aristotelian pattern of thought in his presentation of the origin and purpose of the state. However, he too models Aristotle to his own image.[67] His theory of the origin of civil society is a historical one (men come together by physical or economic circumstances), and his state therefore appears to be a mere collection of individuals. The chief objective of Marsilius of Padua seems to have been to destroy utterly papal claims and ecclesiastical jurisdiction as developed in canon law. With him the line of demarcation between reason and faith seems to become an impassable barrier.[68]

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[64] Charles H. McIlwain, *The Growth of Political Thought in the West* (New York, 1932), p. 313.

[65] Consult the article of J. Rivière, "Marsile de Padoue"; in *Dictionnaire de théologie catholique*, X, I, cols. 153-77.

[66] There are two modern critical editions: *The Defensor Pacis by Marsilius of Padua*, edited by C. W. Previté-Orton (Cambridge, 1928) and "Marsilius von Padua Defensor Pacis," edited by R. Scholz, in *Fontes juris Germanici antiqui* of the *Monumenta Germaniae historica* (Hannover, 1933). There is an English translation by A. Gewirth in Volume II of that author's important work, *Marsilius of Padua, the Defender of Peace* (New York, 1951, 1956).

[67] P. Hughes, *History of the Church* (London, 1934-1947), III, 145-53.

[68] *Ibid.*, III, 147. See also the excellent essay on Marsilius in D'Entrèves, *Medieval Contribution to Political Thought*, pp. 44-87.

Marsilius recognizes a double end for society; besides the temporal one, and evidently the principal one, he also admits a spiritual end, the attainment of eternal happiness. The realization of this end is achieved through the great social bodies, especially the priesthood, the army, and the judiciary. This incorporation of the religious institution into the state carries with it the logical conclusion that the right of direction will belong to those who direct the state. The further development of the regalism of Marsilius has its roots in this basically unitary concept.[69] For him the Church has existence only as a society in the sense of a mere aggregation of individuals and nothing more. The hierarchical character of the Church is not something willed by Christ; on the contrary, it is only the outgrowth of custom. The single divinely instituted function of the Church is the administration of the sacraments. The net result is to do away with the immense social activity of the traditional Church.

With the coming of Christianity there had developed in the political thought of Europe the concept of the two powers, divinely ordained and ordered to one another, which had become crystallized in the juridical formulation of Gelasius. Later on, medieval thinkers tended to obscure the distinction in their striving for the unity of the ideal *respublica christiana.* Marsilius, it would seem, has returned once more to pre-Christian thought; and finding in Aristotle a "natural" political philosophy, he develops it along unchristian lines.

His claims as an advocate of modern democracy have been well qualified by D'Entrèves, who has pointed out that one does not find in him "the real foundation of popular sovereignty: the principle of the original and natural equality of all members of the community."[70] On the other hand there is novelty in his concept of law which is voluntaristic and quite unmedieval. For

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[69] J. Rivière, in *Dictionnaire de théologie catholique*, X, I, col. 160.
[70] D'Entrèves, *Medieval Contribution to Political Thought*, p. 57.

him law is most properly considered as a command to act in a definite manner.[71] Moreover, the distinction between "human law" and the "natural law" is lost sight of, and the great medieval limitation of ruler by a law outside and above him has apparently disappeared from the political theory of Marsilius. In fact the state has thus become the *source* of all law; a proposition that in these our times has become a sinister one, for we have seen the theory actually applied.

Due in large part to his passionate attack on papal power and the whole hierarchical Church, Marsilius has often been viewed as a kind of morning star of certain types of modern political theory. It must be remembered, however, that Marsilius did not advocate a separation of Church and state, but he proposed one organism in which the Church would be simply absorbed by the state.[72] Giles of Rome had advanced a theory which made the temporal power quite subservient to the spiritual. Being also a medieval man, Marsilius wrote of a *respublica* in which the Church was absorbed by the state. In his own way he was as far from the Gelasian formulation as was Giles of Rome; moreover both of them were quite distant from the modern theories of separate societies and sovereign nations.

Marsilius was indeed a medieval Aristotelian, but a "homo Aristotelicus magis quam Christianus."[73]

WILLIAM OF OCKHAM (c. 1300-c. 1349)

William of Ockham is a writer whose views on many problems have themselves become problems. The main difficulty lay often with William himself. His habit of writing down several

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[71] *Defensor pacis*, Dict. i, c. x. D'Entrèves has stressed this point of view. Other writers have not always brought this out so clearly. See also J. W. Allen, "Marsilio of Padua and Medieval Secularism"; in *Social and Political Ideas of Some Great Mediaeval Thinkers*, edited by F. J. Hearnshaw (London, 1923), p. 182.

[72] D'Entrèves, *Medieval Contribution to Political Thought*, p. 74.

[73] *Ibid.*, p. 87.

opinions about a problem (some of them quite novel) and then proceeding to the next question without always making clear his own decision has occasioned much of the obscurity. In matters regarding his political theory the situation is much the same; for example, there are many views expressed on political matters in his *Dialogus*, but which ones he himself holds he does not make clear.[74]

A fortunate discovery of a treatise recognized by scholars as coming from William's pen, however, was made in recent years by Richard Scholz.[75] This treatise, *Breviloquium de potestate papae*, was made the subject of a detailed study by P. Adalbert Hamman.[76] In it we find, in traditional scholastic method, a set of opinions which the author proves by traditional arguments. It is from these two sources that the following summary has been made.[77]

In treating of the independence of the state Ockham sums up the position of his adversaries, who have claimed that outside the Church there is no true *dominium* or true temporal jurisdiction, and then answers their arguments, seeking to prove his own position from texts of Scripture, the writings of the fathers, and from reason. He contends for a true and legitimate jurisdiction

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[74] William of Occam, *Breviloquium de potestate papae*, edited by L. Baudry (Paris, 1937), p. 2: "Porro quia in hoc opere, non tantummodo recitando, sicut in praedicto Dyalogo, sed in aliqua asserendo constanter, aliqua absque assercione temeraria opinando, verborum faleras relinquendo procedam."

[75] A critical edition of the *Breviloquium* is in R. Scholz, *Wilhelm von Ockham als politischer Denker und sein Breviloquium de principatu tyrannico* (Stuttgart, 1944). At the present time a critical edition of Ockham's political works, of which Volumes I and III have been printed, is in progress at the University of Manchester, *Guillelmi de Ockham opera politica* (Manchester, 1940, 1956).

[76] G. A. Hamman, *La doctrine de l'église et l'état chez Occam* (Paris, 1942). See also J. B. Morrall, "Some Notes on a Recent Interpretation of William of Ockham's Political Philosophy," *Franciscan Studies*, IX, (1949), 335-69.

[77] For reasons mentioned above, not much has been written on Ockham's political theory. H. A. Laski, for example, scarcely mentions him in his article "Political Theory in the Later Middle Ages," *Cambridge Medieval History* (Cambridge, 1911-1936), VIII, 620-45.

and sovereignty held by those outside the Church; and hence for a legitimacy of property and of sovereignty independent of the Church.[78] He is speaking of general principles involved, of a *de jure* and not a *de facto* situation, and is evidently writing against that school of which we have met a member in Giles of Rome. Property and jurisdiction in their present situation come after the fall of man. The Augustinian tradition is seen in this, and as a matter of fact Aristotle is only cited twice in the *Breviloquium*.[79] Ockham's treatments of both property and jurisdiction move on parallel lines. He seems to hold that, although in special cases God has stepped in directly to appoint sovereigns, generally the divine plan for such sovereignty is attained through the designation of men.[80] There are no long proofs from reason in Aristotelian fashion, but he draws his arguments from biblical and traditional sources, much as Giles has done.

In responding to his adversaries, who based themselves upon St. Augustine, Ockham questioned their interpretation of the saint's words, and indeed their whole position.[81] Against those who claimed dominion only for the just, Ockham says this statement can have an orthodox sense when it means not property or dominion itself, but being *worthy* of possessing, having, and using temporal things. As he notes, an infidel or a Christian in mortal sin is not only unworthy of dominion, he is not worthy of the bread that he eats. Incidentally he points out that such

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[78] *Breviloquium*, II, 1; Baudry ed., p. 17: "Ab ista plenitudine potestatis incipiam de qua non nulli tenent quod papa sic habet a christo plenitudinem potestatis ut omnia, tam in temporalibus quam in spiritualibus, possit de jure que nec juri naturali nec legi divine repugant." See also Hamman, *La doctrine de l'église*, pp. 91 ff.

[79] Hamman, *La doctrine de l'église*, p. 104, n. 7. The author here holds an opinion different from that of Monsignor Grabmann, *Studien über der Einfluss der aristotelischen Philosophie* (Munich, 1934), p. 60.

[80] *Breviloquium*, III, 10; Baudry ed., p. 90; Hamman, *La doctrine de l'église*, p. 108.

[81] *Breviloquium*, III, 12; Baudry ed., pp. 92 ff.; Hamman, *La doctrine de l'église*, pp. 109 ff.

a position could include also those of the faithful who are in mortal sin; for strictly speaking they are certainly not of the just.[82] This is an interesting observation in the light of Wyclif's development of the doctrine.

The treatise considers at great length both the papal power and that of the empire. The power of jurisdiction of the empire does not come directly from God, but through the mediation of men as well. Nevertheless the empire has ordinarily no superior in temporals except God; although under certain conditions it may have.[83] Ockham's main endeavor is to withdraw the empire from relationship with, or tutorship by, the divine law and to attach it to the domain of the natural law. By this means he will be able to show that it is withdrawn also from papal power and stands by itself. Nevertheless throughout the discussion he argues, generally, as a theologian; his principal argument is from the testimony of Christ.[84]

According to the traditional doctrine two distinct powers divided the world between them; the one had charge in temporal matters, the other in spiritual. Each in its own special field was independent; but the one which had the higher and more

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[82] *Breviloquium*, III, 12; Baudry ed., p. 92: "Possunt itaque verba Augustini prescripta alium intellectum orthodoxum habere, ut intelligatur quod jure divina cuncta sint, non solum fidelium in Christum credencium, sed eciam justorum qui justificati sunt per graciam gratum facientem, non quod dominium et proprietatem, tunc non nullus peccator eciam christianus haberet cujuscumque rei temporalis dominium et proprietatem, sed quoad dignitatem possidendi, habendi, et utendi, hoc est, soli justi digni sunt possidere, habere, et uti rebus temporalibus. Nullus autem injustus, sive fidelis sive infidelis, dignus est dominio temporalium rerum, quia nec dignus est pane quo vescitur. Et ideo quicumque christianus nequaquam a fide recedens peccat mortaliter, statim fit indignus dominio quod prius habebat vel habet, quia fit dignus non solum dominium quod prius habebat amittere sed eciam fit dignus pena eterna puniri."

[83] *Ibid.*, IV, 8; Baudry ed., p. 113: "Tamen postquam imperium ordinacionem humanam institutum est, nullum habet regulariter superiorem in temporalibus nisi solum Deum, licet casualiter superiorem possit habere."

[84] Hamman, *La doctrine de l'église*, p. 155.

valuable purpose was possessed of a certain superiority. To determine the shades of these distinctions and their respective subordination had taxed the minds of medieval theologians. Ockham was interested much more in making clear the distinction than he was in defining the subordination.[85] His method was to discuss and to answer in long and somewhat wearying fashion the arguments of his opponents. Here his chief task was to argue against his opponents' interpretation of the *plenitudo potestatis*. His lines of argumentation were those of a theologian, and his attack on the "political Augustinianism" of his opponents is no less interesting than his silence about Aristotle.

CONFLICTING TRENDS

One of the great medieval contributions to political theory was the concept of a *respublica christiana*—a concept very difficult to locate in any given period of medieval history, but one that permeated the ideals of many medieval political thinkers. They did not think that a conflict between the two "arms" of Christendom was a corollary to the distinction between these two powers; nor that such a distinction meant an antagonistic dualism in society. Distinction did not mean a denial of unity, although this might seem as difficult for some writers to grasp as is the explanation of the actual working of the federal and state governments in the United States to someone unfamiliar with federation or confederation.

But there were dangers in this theory of the *respublica christiana*: the danger that the secular power might destroy the spiritual by slow and steady encroachment, or the danger that the spiritual arm might find proponents who would overshadow the

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[85] *Ibid.*, pp. 183-85. See also the helpful essay of A. Gewirth, "Philosophy and Political Thought in the Fourteenth Century"; in *The Forward Movement of the Fourteenth Century*, edited by F. L. Utley (Columbus, 1961), pp. 125-64.

ideal of Christendom with clericalism.[86] In the early decades of the fourteenth century many forces threatened this ideal of a Christendom inhabited by the *populus christianus* and governed by both spiritual and temporal power working together in an ordered unity of the body, the *ecclesia.* There were such factors as the rise of the national states, the development of Roman law in the secular chanceries, the pride of language, the ever-present problem of communication; all of these aided in pushing the *respublica christiana* further into the ideal order. Most of all, perhaps, the twofold danger always present in the theory, the inordinate power of the secular arm and the blighting shadow of clericalism, both rose to inflict a mortal wound upon it.

Although John Wyclif lived long after the first quarrels that heralded the development of new political theories, he inherited much from those years. With the arguments and terminology of a Giles of Rome, he reached very different conclusions. On the question of clerical possessions he held a position that John of Paris would doubtless have classified as Waldensian. Yet he often emphasized the dual power theory of the *ecclesia.* He did not wish the secular arm to absorb the spiritual power; but he much desired the secular barons to seize the possessions of the Caesarian clergy, as he believed them to be. Like John of Paris, he emphasized the end of the imperial dream with detailed arguments justifying the division of the secular arm of Christendom into separate kingdoms. Still he despised the civil (Roman) law which was working quite efficiently for that very purpose. The world of fourteenth-century political theory was a world of conflicting opinions. In many ways John Wyclif was himself somewhat of a microcosm of that world.

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[86] See the stimulating essays on Caesaropapism and clericalism in Joseph LeCler, *Two Sovereignties* (New York, 1952), pp. 87-127.

CHAPTER II

A Century of Questions

In some ways the fourteenth century can best be symbolized by a question mark. Whether one judges that the painful scrutiny of scientific, philosophical, and theological traditions and proofs was a profitable one or not, the fact of that questioning cannot be gainsaid.[1] A great deal of this questioning was done at Oxford and Paris, which were both intellectual centers of Europe.[2] In both these universities intellectual currents swirled with a fierce intensity which is quite startling to one accustomed to the modern, relatively peaceful university campus.

POLITICAL DEVELOPMENTS

Political theory was no exception to this process of questioning. Two important disputes occurred during this century, each of which produced developments in political theory, as well as a

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[1] See A. C. Crombie, *Medieval and Early Modern Science* (New York, 1959), II, 1-120 and A. Pegis, "Some Recent Interpretations of Ockham," *Speculum*, XXIII (1948), 452-63.

[2] C. Michalski, "Les courants philosophiques à Oxford et à Paris pendant le XIV^{e} siècle," *Bulletin international de l'Académie polonaise des sciences et des lettres, Classe d'histoire et de philosophie* (1920), 59-88 (Cracovie, 1921); "Le criticisme et le scepticisme dans la philosophie du XIV^{e} siècle," *Bulletin international de l'Académie polonaise des sciences et des lettres* (1925), 41-122 (Cracovie, 1926); "Les courants critiques et sceptiques dans la philosophie du XIV^{e} siècle," *Bulletin international de l'Académie polonaise des sciences et des lettres* (1925), 192-242 (Cracovie, 1927).

flood of pamphlets. The quarrels were those of Boniface VIII (1294-1303) with Philip the Fair of France (1285-1314) at the turn of the century and that of John XXII (1316-1334) with Emperor Louis of Bavaria (1314-1347) some twenty years later.[3] Then the conciliar movement that took place at the end of the century brought forth further writings in reference to ecclesiastical government.

Many scholars of the fourteenth century scrutinized not only the relationships between the spiritual and temporal powers, but also those between the various departments of the temporal power itself. England offers an outstanding example of this type of development.

As will be noted later, Wyclif's birth probably occurred about 1330. Thus his childhood would have been passed amidst the first part of the long reign of Edward III (1327-1377). As a child he would have heard something of the smoothly conducted deposition of Edward II, which placed his son Edward upon the throne. In 1326 aristocratic discontent had united with natural opposition to bring about the king's deposition. But there was a personal element to the struggle as well. Isabella, Edward's queen, had taken as her paramour Roger Mortimer of Wigmore, a western magnate and an opponent of the Despensers. Isabella's career, and possibly her life, depended on obtaining either the overthrow of Edward II or a reconciliation with him. Apparently she chose the former. When she arrived in England from Hainault, the barons and magnates, ecclesiastical and lay, flocked to her standard, and Edward's forces were easily overcome. Edward himself was captured during a heavy rainstorm while trying to reach Llantvissant Castle.[4]

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[3] Sabine, *A History of Political Theory*, pp. 264 ff.

[4] T. F. Tout, *Chapters in the Administrative History of Mediaeval England* (Manchester, 1920-1934), III, 1-30. See the treatment of Edward II and his reign in V. H. H. Green, *The Later Plantagenets* (London, 1955), pp. 113-40.

Thus events had moved both smoothly and swiftly. Until November 20, 1326, Edward had issued writs in his father's name, after the "Parliament" of October 28 had declared that the king's withdrawal had left the realm headless. From November 20, with the seal in the hands of the new government, writs were issued under the great seal, and the captive king was supposed to have consented to them. Finally on January 24, 1327, after the Westminster Parliament, the duke was proclaimed king. The withdrawal of support from the old king, Edward II, had been complete, both as regards the official class and the baronial opposition who welcomed the revolutionaries. It was evident again that no king could stand against a united baronage.

The "revolution" had been accomplished with the help of the barons. During the regency of the boy king these men formed the standing council of regency; hence they also took care of the spoils of office. The Lancastrian group was a strong element in this alignment, for Henry of Lancaster held first place in the council and was aided by men like John Stratford and Thomas Wake. The Lancastrians resumed the good old ways of the past.

However, "to win a crown is sometimes easier than to wear it." Edward II had died, probably murdered at Berkeley Castle in September 1327. Isabella had no policy however, and there was increasing friction between the followers of Lancaster and Mortimer. Foreign policy was not successful, and treaties humiliating to English interests were signed with Scotland and France. Furthermore the young king, Edward, was anxious to take over and had gathered about him a band of young and powerful nobles who envied Mortimer his wealth and criticized his failures. On the night of October 19, 1330, Montague entered Nottingham Castle, overpowered Mortimer, and made Edward III king of England in fact.[5]

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[5] Tout, *Administrative History*, III, 29-30.

Edward III proclaimed his intention of ruling according to right reason and with the common counsel of the magnates.[6] Edward was no genius, but he was shrewd and intelligent and he had been carefully educated. He was a devoted follower of the chase and loved the pageantry of knighthood. He proved himself a king who governed the land in accordance with the ideals of the aristocracy; the young king and the baronage, old and young, jousted and feasted in cooperative contentment. A half century of similarity in pleasure and sport was to give England proof of a certain type of unity between Edward III and his barons.[7] It is well to remember that this was the state of affairs which Wyclif perhaps saw, and certainly heard about, for the greater part of his lifetime. It seems clearly reflected in the picture of the monarchical form of government which he presents in the *De officio regis*.[8]

The early part of the Hundred Years' War (1337-1360) marks another period in the history of the gradual formation of the English national state. It was a period through which Wyclif passed as a boy and as a student at the university. He could have deduced from the events which occurred that governing England in England was one thing, while governing the nation from the Continent was quite another. Although the Walton Ordinances were designed to meet this difficulty, from the constitutional viewpoint they tended rather to create a double court working with friction and delay. Edward had attempted a check and balance system by the use of warrant and the increase of local, as

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[6] *Foedera, conventiones, litterae, et . . . acta publica*, edited by T. Rymer (London, 1704-1735), II, 799: "Nous voulons gouerner nostre people selone droiture et reson . . . et que les bosoignes que nous touchent et l'estat de nostre roialme soient mesnez par commune conseil des grantz de nostre roiaume e nemie en autre manere." See also Tout, *Administrative History*, III, 31.

[7] Tout, *Administrative History*, III, 32. Compare the evaluations of Edward III in Green, *The Later Plantagenets*, p. 143 and W. Stubbs, *The Constitutional History of England* (Oxford, 1873-1878), II, 393.

[8] See Chapter IV of this essay.

against central, administration. Thus he planned to safeguard the royal power, but it is a moot point whether these means were innovations or the legalization of custom.[9]

The result of the planning was merely that friction increased while revenue decreased. Besides, the war was going badly and this naturally increased criticism. Archbishop Stratford, who had been acting as president of the royal council, felt that the magnates were the king's natural counselors and that the king was bound to consult them. The king was back in England in February of 1340; in March, Parliament demanded the abolition of tallage and the promise that similar demands in the future would not be made without the consent of Parliament. It is important to note that, although this Parliament was willing to pay, its members wanted reforms first.

But with Edward's return to the Continent the double system of administration and the attitude of Stratford resulted in the great ministerial crisis of 1340-1341, the only one in Edward's long reign until senility crept over him. Incidentally, it is to be noted that the king's aversion at this time to officials who were not amenable to the civil courts and their law led him to seek laymen rather than clerics for his offices, but soon after clerics were again appointed to major offices. The quarrel between king and archbishop caused Stratford to write a treatise in which he made clear the baronial concept of a king who ruled after taking advice of his counselors, and whose counselors were to be the great men of the realm. From the baronial point of view the king had been treating his kingdom too much like a private estate.[10] Then too the jealousy of the chancellor and the treasurer in regard to the developing importance of Chamber and Wardrobe probably played its part in the deadlock.

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[9] Tout, *Administrative History*, III, 69-79.

[10] See Stratford's letter in Rymer, ed., *Foedera*, II, 1143 and Tout, *Administrative History*, III, 127-28.

The Parliament of 1341 stressed the importance of the baronial group which had thus asserted its right to control the king's ministers. Once again it was made clear that a king could not stand against a united baronage assembled in Parliament. But parliaments do not last forever. When this Parliament was over and its members had wended their way homeward, Edward calmly informed his sheriffs, by letters close, that he was revoking the statutes to which he had never really consented, a piece of duplicity that brought him considerable criticism then and later. Seemingly the work of 1341 had been relegated to history, as much as that of 1311; actually Edward had learned his lesson well.[11] Baronage and monarchy continued side by side for another thirty tranquil years. For the most part they were years of foreign war which was both honorable and lucrative for the barons. But even successful war demanded money and so depended on concessions made to barons and commons, thus contributing to a restraint on royal power. Fundamentally, however, things were not changed; Edward had only conciliated the baronage without really destroying its power. In another view he had simply abandoned his desire for strong personal government in return for the barons' support of his French war policy. The campaigns of 1345-1346 were successful from the administrative as well as the military point of view. Edward had learned how to keep his war policy in agreement both with his barons and his taxpayers.[12]

From the peace of Calais in 1360 until the renewal of the war in 1369 there was a marked development in the administrative side of government, which the previous war years had

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[11] For the crisis of 1341 consult G. T. Lapsley, *Crown, Community and Parliament in the Later Middle Ages* (Oxford, 1951), Chapter VI, "Archbishop Stratford and the Parliamentary Crisis of 1341"; B. Wilkinson, *The Chancery under Edward III* (Manchester, 1929), p. 143; Green, *The Later Plantagenets*, pp. 145-55; A. R. Myers, *England in the Late Middle Ages* (London, 1952), p. 26.

[12] Tout, *Administrative History*, III, 171.

necessarily curtailed. In the years 1360-1365 especially many reforms in administrative control were initiated; for instance, the retransference of the great wardrobe accountability from the Wardrobe of the household to the Exchequer in 1360-1361, the attempts of the Exchequer to balance the national finances in 1363-1365, the punishment of delinquent officials, and the effort to make the government pay its way from year to year.[13]

During these years of outward tranquillity between magnates and king, the greater part of Wyclif's intellectual development took place. He thus witnessed an English national state in which the king ruled at least to all outward appearances. It is not surprising, then, that he embodied this concept in his political theory.

With the outbreak of war again in 1369 difficulties arose. For war, then as now, was an expensive business. It is possible that the crisis in 1371 may have arisen more from the conflicts of war and peace parties than from clerical or anticlerical ministers. At any rate the ministers who went into office as a result of the conflicts were surely prowar, and "when friars and laymen join against prelates and possessioner 'religious' anticlericalism is rather limited in scope."[14]

Edward III was now old and weak, and he was fast losing his grip on the situation. John of Gaunt's absence, the illness of the Black Prince, and the king's senility and "amorous dotage" allowed administration to go its own way. The Parliament of 1373 granted further aid on the basis of what turned out to be promises of military success rather than its actual attainment. Criticism grew apace, finally culminating in the crisis of 1376, which produced the Good Parliament. Angry at the abuses of the king's "evil advisers" and intent upon political housecleaning, the body impeached the king's chamberlain and others.

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[13] *Ibid.*, III, 264.
[14] *Ibid.*, III, 271, note 2; 282.

Whether the actual impeachment was a definition of procedure or the initiation of the concept of the high court of Parliament, the failure of Edward III meant the triumph of the baronage. This in turn seems to have led to a change of dynasty and finally to civil war.[15]

The breakdown of the Edwardian system seems to offer a deeper and more interesting series of problems, if one views it not only as the result of whims of majesty or mere lust for power on the part of certain barons, but also as a conflict of constitutional principles. For the Parliament of 1376 had begun a policy which was to culminate, two years after Wyclif's death, in the crisis of 1386. In these ten years the minority of Richard had strengthened the hands and dreams of those who forced the issue in 1376. For both the Lords and Commons had elected councils during the minority, by means of which the kingdom had been managed; in 1379 they appointed a committee to examine the state of the king; in 1380 Parliament claimed the right to elect the five principal officers of state. Then, according to Thomas of Walsingham's statements, policy apparently commenced to change in the early months following the Peasants' Revolt (1381), when King Richard II in his secret council gradually began to circumvent the House of Lords and the House of Commons. The February Parliament of 1383 tried to control the king, but with small success; the Parliament of October 1383 lost its temper.

Richard had alienated the Commons by the imprisonment of a London representative, thus cementing the alliance of the Lords and Commons. To this was added the dangerous neutral-

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[15] On this Parliament see B. Wilkinson, *Studies in the Constitutional History of the Thirteenth and Fourteenth Centuries* (Manchester, 1937), Chapter IV, "Latimer's Impeachment and Parliament in the Fourteenth Century"; G. Templeman's essay and review of recent publications, "The History of Parliament to 1400 in the Light of Modern Research," *Historical Journal of the University of Birmingham*, II (1948), 202-31; Green, *The Later Plantagenets*, pp. 155-62.

ity of John of Gaunt, for the death of the Black Prince had removed the only serious rival of this great duke. When John of Gaunt departed for the Pyrenees things moved swiftly, and Richard was faced with a Lords and Commons which had tasted the joys of government. Edward III had "solved the problem of the royal prerogative by resting it on the support of the barons themselves."[16] Richard II found himself faced with a baronage in opposition. For him the price of Edward's policy proved to be very high; he paid for it with his life.

That a medieval king and his barons may not have understood all these struggles as clearly as modern constitutional historians, for whom the light of later historical experience has both simplified and clarified many aspects of it, may readily be granted. But they certainly understood some of them. Indeed it is curious to note that the methods of Lords and Commons to consolidate the gains of 1376, and the maneuvers of the king in his appeal to the judiciary, can be paralleled almost step by step in the Stuart maneuvers of the seventeenth century.

JOHN WYCLIF (1330?-1384)

When a chronicler attempts to fit the actual dates of Wyclif's life into fourteenth-century England he finds himself in great difficulties. In the case of several famous medieval scholars there is a dearth of details, but at least the salient facts of birth, education, and early life usually can be traced. In the case of Wyclif there is a tantalizing obscurity; indeed records we have are complicated by *another* shadowy Wyclif in the background. But a brief sketch can be drawn from the available material.

John Wyclif was born probably about the year 1330 in Yorkshire and in about 1360 he became lord of "the manor of

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[16] Wilkinson, *The Chancery under Edward III*, p. 144. For constitutional history of the period the pertinent sections in B. Wilkinson, *Constitutional History of Medieval England, 1216-1399* (London, 1948-1958) will be found very helpful.

Wycliffe," with John of Gaunt as his overlord. Presumably it was about 1345 when he entered Oxford; three colleges, Queen's, Merton, and Balliol, all claim him as their student. It seems that he was a master at Balliol in 1360. We do not know the date of his ordination to the priesthood, but he was given the college living of Fillingham on May 14, 1361. He probably served in this parish until August 1363, when Bishop John Buckingham granted him permission for "non-residence" for a year. The year before he had been granted the prebend of Aust in a collegiate church near Bristol and had petitioned the pope to grant him this additional benefice, despite the fact that he already had the church of Fillingham. With the income from these benefices Wyclif was able to continue and finish his long studies in theology and then remain on at Oxford.[17]

There is little else we know with certainty about these early years at Oxford. One episode which may have happened to our John Wyclif occurred in 1361, when Archbishop Islip established a new college or boarding hall for clerics. It was called Canterbury Hall, and because the income came from the alienation of a good benefice (Pagham) which belonged to the Canterbury monks, the archbishop promised them that the warden would always be a monk. Then in December 1365 the archbishop removed the regulars and put in a "John Wyclif de Wyclyve" as the warden. When Islip died the new archbishop, Simon Langham, removed this Wyclif and put back the monks. Wyclif then appealed his case to Pope Urban V, as was only to be expected, but he was unsuccessful in his endeavors and did not regain his position. One of Wyclif's contemporaries, the Franciscan William Woodford, claimed that this incident rankled in Wyclif's memory and accounted for some of his hostility toward the monks. Subsequent historians have not been in agree-

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[17] Joseph H. Dahmus, *The Prosecution of John Wyclyf* (New Haven, 1952), p. 1.

ment as to whether or not it was our John Wyclif who held this position of warden from December 1365 to March 1367.[18]

In 1368 Wyclif obtained another permission for nonresidence from Fillingham for two years. Although in 1366 he had been cited for his failure to provide a chaplain for his prebend of Aust, Wyclif retained this prebend. John of Gaunt saved it for him again ten years later by getting the king to cancel another appointment he had made to it on the supposition that it was vacant. Shortly afterwards Wyclif exchanged Fillingham for the parish of Ludgershall, which was closer to Oxford. He had continued his studies during these years and had received his doctorate in theology either in 1372 or 1373, for the papal bull of January 29, 1371, refers to him as a master of arts, while another dated December 26, 1373, speaks of him as a master of theology and reconfirms him to a canonry of Lincoln with the reservation of a prebend. Thus Wyclif received permission to hold two prebends in plurality with his rectory, since doctors could hold benefices amounting to more income than could the bachelors.[19]

In 1373 Pope Gregory XI (1370-1378) demanded payment of a large sum of money which he claimed was due for debts long unpaid by English prelates. At the same time the king of England was demanding a tenth to foot the bills arising from the military efforts and failures of the government which had replaced the clerical ministers in 1371. The prelates, evidently feeling themselves between the upper and nether millstones, clamored that they could not pay both king and pope. After an exchange of letters between king and pope it was decided that

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[18] H. S. Cronin, "John Wycliffe, the Reformer, and Canterbury Hall, Oxford"; in *Transactions of the Royal Historical Society*, Third Series, VIII (1914), 55-76. See also Dahmus, *Prosecution of Wyclyf*, pp. 1-3 and authorities cited there.

[19] J. H. Wilkins, *Was John Wycliffe a Negligent Pluralist?* (London, 1915), pp. 16-17, 24, 43-46; Joseph H. Dahmus, "Wyclyf Was a Negligent Pluralist," *Speculum*, XXVIII (1953), 378-81.

both should send envoys to discuss the situation. Meanwhile the king prepared a list of benefices in England held by aliens, together with a list of the actually resident aliens. The papal envoys came, presumably with the long overdue bills. On July 26, 1374, Wyclif was appointed a member of a seven-man committee which was to treat with a papal delegation at Bruges. The English committee seems to have accomplished little and Wyclif was not reappointed to the committee the next year, for what reason we do not know. The commission of 1375 made some progress toward settlement, but whether Wyclif's absence had anything to do with this progress is not known. But it seems obvious that, if Wyclif then held the views on papal provisions which he did later, the committee might have had some difficulty in reaching agreement.[20]

In 1375 Wyclif did not get the benefice promised him by Pope Gregory XI in 1373. What is not clear is whether he was actually deprived of the prebend or whether his claim did not reach officials soon enough after the vacancy had occurred. Apparently it was the rich prebend of Caistor on which he had cast his eye, and he called the priest who did get it, Sir John Thornbury, an "idiot." We do not know whether Wyclif had aired his views on papal provisions at Bruges in 1374 and whether his *Determinatio* had been published by this time. If so, it would seem that Wyclif was unduly optimistic in hoping for the benefice. Ironically enough, it was apparently due to the agreement made at Bruges in 1375, by which the pope gave up all the reservations of his predecessors which were not already filled, that Wyclif did not get his preferment. And from what we know of Wyclif's views, he should have agreed in theory with the provision of Bruges![21]

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[20] See the discussion in Dahmus, *Prosecution of Wyclyf*, p. 4.

[21] See H. E. Salter, "John Wyclif, Canon of Lincoln," *English Historical Review*, XXXV (1920), 98; Dahmus, *Prosecution of Wyclyf*, pp. 4-5.

The next event of which there is clear testimony is the instruction sent to Wyclif on September 22, 1376, by John of Gaunt, Duke of Lancaster, to come before the king's council.[22] We do not know why Gaunt singled out Wyclif for this summons. The hypothesis that it was due to Gaunt's influence that Wyclif was appointed to the Bruges commission does not seem likely because he was left off the second commission, "which was largely under the duke's direction." It has been suggested that Gaunt may have learned about him in checking the reports of the first commission. Even if this was the source of his knowledge, it is still a mystery why Gaunt selected Wyclif. The usual assumption has been that both men desired the reduction of the wealth and power of the clerics, although for very different motives, and John of Gaunt has usually been pictured as a man grasping for power, even for the throne.[23] Clear documentary support for this theory is lacking. Gaunt has also been pictured as an anticlerical, but this does not make much sense either, for when the duke was in power in 1377 he appointed Adam Hought, Bishop of St. David's, as chancellor and Henry Wakefield, Bishop of Worcester, as treasurer, while his own chancellor was Ralph Erghum, Bishop of Salisbury.

Then in February 1377 Wyclif was summoned to appear at St. Paul's in London to answer for his doctrines. We are not certain precisely what these doctrines were, although the chronicler Walsingham suggests views such as these: that the pope could not excommunicate anyone, but if someone granted the pope that power, then any priest could remove the censure; that temporal lords in need could legally appropriate the goods of

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[22] The instruction is quoted by Dahmus, *Prosecution of Wyclyf*, p. 7, from *Issues of the Exchequer*, extracted and translated by F. Devon (London, 1837), p. 200.

[23] See the interesting discussion of Gaunt's motivation and relationship with Wyclif in Dahmus, *Prosecution of Wyclyf*, pp. 7-18.

the great monasteries in order to relieve their poverty.[24] It would seem that he was arraigned for some of the doctrines expressed in his *Determinatio* or in his longer work *De civili dominio*. In any event Wyclif came with Gaunt, Henry Percy, and four mendicants. It was before Bishop Courteney of London that the trial was to be held, and it was well known that Gaunt and Courteney were at serious odds at the time. When the two groups and their followers had assembled in the church, there were soon hot words between Gaunt and Courteney. The Londoners, who did not like the duke or Percy anyway, thought their bishop had been insulted and raised a tumult. The duke departed, not without some loss of dignity. Wyclif and the others apparently went with him, for we hear nothing more of the trial, which seemingly broke up before the prelates had passed any censure.

The next development came from Rome. Three months after the attempt of Courteney to silence Wyclif, Pope Gregory XI sent five bulls (dated May 22, 1377) to various English bishops and ecclesiastical officials directing that something be done about Professor Wyclif. Apparently the pope did not know of the attempt three months earlier, and he reprimanded Bishops Sudbury and Courteney because "no resistance we know of" had been made to Wyclif. He sent communications not only to the two bishops, but also to King Edward and to the chancellor at Oxford. The letters to the bishops instructed them to investigate privately the charges against Wyclif, and the pope enclosed a copy of the questionable propositions. If the charges were found to be true, then the bishops were instructed to seize Wyclif, get a confession from him, and send all materials back to Rome; meanwhile they were to keep Wyclif in detention until further notice. Another letter instructed the bishops further that, in case Wyclif should escape, they were to cite him to appear

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[24] Thomas of Walsingham, *Chronicon Angliae, 1328-1388*, edited by E. M. Thompson (London, 1874), p. 116.

before the pope within three months. In his letter to Oxford the pope wrote that he felt sad that the great university, with its long and brilliant history, should now allow these errors to be taught in its halls, and he instructed the chancellor to hand Wyclif over to Bishops Sudbury and Courteney. The letter to the king explained that Wyclif had been teaching "execrable and abominable folly" and that the pope had given the bishops instructions to seize John and investigate the business.[25]

The questionable propositions had been taken either verbatim or substantially from Wyclif's work *De civili dominio* and were practically all theological theses. Several of the propositions voiced his teaching that dominion is founded upon grace, while others dealt with the sacraments or the theory that civil rulers could judge the moral state of the Church, implying that the state was above the Church.

Due either to bad weather or the war situation, these papal documents did not reach London until about six months later (December 1377). In the meantime two events *may* have occurred which, if factual, do indicate something of the actual political influence of Wyclif at this time. We are not certain of the data because of inadequate documentation. In the collection of documents formerly attributed to Netter there is one entitled "Libellus Magistri Johannis Wyclyff, Quem Parliamento Regis Ricardi Contra Statum Ecclesiae."[26] The document itself gives no indication that it was presented to any Parliament, nor do the *Rolls* of Parliament at the time record any such speech by Wyclif. It is possible, however, that it might have been privately circulated among some members of a Parliament in the fall of

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[25] There is a full translation of the documents, together with a careful analysis of the whole Lambeth trial, in Dahmus, *Prosecution of Wyclyf*, pp. 35-73. The summary that follows is based on the extensive materials given there.

[26] *Fasciculi Zizaniorum Magistri Johannis Wyclif*, edited by W. W. Shirley (London, 1858), pp. 245-57. See also Robson, *Wyclif and the Oxford Schools*, p. 232 and the references cited there.

1377. The same source says that Wyclif was asked by King Richard II and the Great Council whether, in view of the need for home defense, the kingdom could lawfully hold back monies lest they be given to foreigners, even though the pope demanded them under penalty of censure.[27] Wyclif was in the crown's service and he could certainly have been asked such a question, but the document is so impersonal in tone (like most scholastic writings, it must be admitted) that one cannot prove or disprove the rubric from it. In addition, to make matters more confused, at the end of Wyclif's arguments there follows the comment: "And here silence was imposed upon him concerning the above by the lord king and the royal council."[28] This is an extremely important remark, although many of Wyclif's biographers have passed it over in relative silence, for the *Responsio* contains a defense of the propositions condemned by Pope Gregory XI. Thus it would seem that even before the Lambeth trial the government had taken a stand by silencing Wyclif, and one wonders whether this was the government's response to the bulls of the pope.

Meanwhile the pope's letter had reached Oxford and had caused considerable consternation. Walsingham complains bitterly of the delay and hesitation of the university officials, but obviously university officials had the reputation of Oxford to uphold, and the matter was a ticklish business at best. Some faculty members openly favored Wyclif; besides, no one wished to cause unnecessary trouble with the civil authorities, for English law forbade the imprisonment of an English subject, which seemed to be demanded by the papal letter. As events worked out the vice-chancellor ordered Wyclif to remain in the Black Hall; that this was regarded as imprisonment seems clear from the fact chronicled by the *Eulogium* that the vice-chancellor was later himself imprisoned for thus detaining Wyclif. It would seem

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[27] *Fasciculi Zizaniorum*, p. 258.
[28] *Ibid.*, p. 271.

that the university officials, or at least one of them, apparently felt it was necessary to respect the pope's order despite the danger of arousing royal anger and that his action, careful though it was, did arouse the royal anger.

The university chancellor also received a letter from Archbishop Sudbury to the effect that Wyclif's teachings should be thoroughly examined by a group of orthodox professors of Scripture at the university, and the chancellor was to cite Wyclif to appear within thirty days before the archbishop and bishop at St. Paul's to answer the charges made against him. The chancellor did have the propositions checked, but at an open faculty meeting of all the masters-regent. At this time the faculty decided that, although these propositions "sounded poorly," they were orthodox.

Sometime before March 27, 1378, Wyclif appeared before his ecclesiastical judges, but he did so at Lambeth and not at St. Paul's. Our sources do not tell us whether he appeared within the thirty-day period or why the trial was held at Lambeth rather than at St. Paul's. On the day of the trial Sir Lewis Clifford, a messenger from the queen mother, appeared and "pompously" warned the prelates not to pass formal sentence upon Wyclif. Then some Londoners forced their way into the chapel and attempted to speak in behalf of Wyclif and to impede the trial. Walsingham was disgusted at the weakness of the prelates and complained bitterly that Wyclif, instead of preaching and teaching his theses as he did in the schools, so qualified them that he was able to persuade the prelates of his orthodoxy.[29] In his *Declarationes*, Wyclif does modify somewhat the language which he had used to express these propositions in his *De civili dominio*.[30] Since the theologians at Oxford had judged them orthodox but ill-sounding, he probably did not have to rework them very

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[29] Thomas of Walsingham, *Chronicon Angliae*, p. 190.

[30] See the discussion of this in Dahmus, *Prosecution of Wyclyf*, pp. 69-70.

much to escape episcopal censure, especially in view of the queen mother's message.

It may have been at this time that the order to cease speaking about these matters, which was recorded in the collection once attributed to Netter, was made to Wyclif. There was a like monition given John de Acley, a monk of Durham who had been selected by the Benedictines as their official apologist against Wyclif. A probable explanation of the data we have is that the government instructed both parties to keep quiet in 1378 and their reason was "national tranquillity." Whether the messenger from the queen mother spoke in her name or in the name of Gaunt is not clear; nor do we know any more about the Londoners, although some biographers have imagined additional data. Since it was a group of Londoners who defended their bishop against Gaunt the year before, their appearance at Lambeth makes it difficult to know just who they were or what they intended to do. At least it is clear that Wyclif never forgave Gregory XI for condemning his doctrines, and he later denounced this pope as a "horrible devil."

On August 11, 1378, occurred another incident which brought Wyclif again into historical record. The event was the violation of sanctuary committed by Sir Alan Buxhall, the keeper of the Tower, when he invaded Westminster Abbey precincts to arrest a Robert Haulay and a John Shakyl, both of whom had escaped from prison. These two gentlemen had captured a Spanish grandee some eleven years before at the Battle of Najera in Castile. Their captive, the Count of Denia, outranked his captors, but the Black Prince had allowed them to hold him, although the government seemingly kept a part interest in the captive. The two men had been ordered to hand over their prisoner to the government; when they had refused, both were imprisoned. They succeeded in escaping and securing sanctuary at Westminster Abbey. Thither Buxhall came with his soldiers and secured Shakyl without violence. But they found

Haulay hearing Mass and an argument ensued; they chased him around the choir, cornered him near the altar, and killed him. There was a great outcry at this shocking outrage, and crown officials were sore put to it for a defense. Wyclif was one, among several perhaps, who aided in drawing up a defense of the government's position. In his *De ecclesia* he refers to the case, and the arguments he presents are like those the government used in its defense at the Parliament at Gloucester in October 1378.[31]

In 1378 Urban VI became pope, an event which seriously affected Wyclif's career. Urban VI was popular in England, being an Italian and not a Frenchman, and much of the need for a ready critic of things papal vanished, which naturally affected Wyclif's usefulness. Then too the advent of the Great Western Schism changed Wyclif's own attitude. He now began to criticize openly the papacy rather than the pope, and it is in the period 1378-1380 that several of his more radical writings were put in final form: *De veritate Sacrae Scripturae, De ecclesia, De apostasia, De Eucharistia,* and *De potestate papae.*

But Wyclif himself drops into historical obscurity after 1378. He is listed as taking rooms at Oxford in August 1380, but where he lived from 1378 to that date we do not know for certain; perhaps it was at Lutterworth. One must remember that Wyclif so hedged his radical opinions with possible distinctions that he never seemed to come to a clear break with the Church as Luther did. It must be remembered too that Wyclif did not live up to his complaints! As has been noted, this constant critic of pluralities, of nonresidence, and of the clergy engaged in politics, was "himself a pluralist, had been cautioned for being away from his cure, and had spent several years in the service of the crown."[32]

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[31] J. Wyclif, *Tractatus de ecclesia,* edited by J. Loserth (London, 1886), p. 150; Dahmus, *Prosecution of Wyclyf,* pp. 74-77.

[32] Dahmus, *Prosecution of Wyclyf,* p. 81.

The Peasants' Revolt of 1381 further disgraced Wyclif because many people of the time were sure that he was directly responsible for some of it. Modern historians generally do not see in him or his writings a direct cause, although there seems to be an indirect relationship with some of the features of the revolt. Perhaps his ideas on dominion did contribute to the unrest. The increase of Lollards was connected with the discontent of the masses of the people and this in turn reacted upon Wyclif's popularity with the landed class, of which he himself was a member.

Another event of 1381 was fateful for Wyclif. This was the appointment of Courteney, formerly Bishop of London, to the See of Canterbury and the primacy of England. Courteney was formally named to Canterbury by Pope Urban VI on September 8, and presumably the pope was unaware that King Richard had given his own approval on August 5, after the monks had unanimously elected Courteney. But the pallium did not arrive in England until May 4, 1382, and until he received it, Courteney constantly refused to perform any official act, including even the royal marriage of King Richard to Anne of Bohemia. Then within two weeks after he had received the pallium the archbishop began the first of his determined efforts to curb Wyclif's ideas, as well as other doctrines judged by him and his fellow bishops "heretical and erroneous." On May 17, 1382, he convoked at Blackfriars in London a council of bishops, supplemented by a group of doctors and bachelors of theology. The council counted eight bishops, fifteen friars, and one monk (all of them doctors of theology), fourteen doctors of law, and six bachelors of theology. Altogether, besides the bishops, there were twenty-one friars, one monk, and fifteen seculars. The enumeration is worthy of note because Wyclif referred to the council as a "council of friars."

The members were given a list of theological propositions to study for some days, and they reconvened on May 21. Despite

the extraordinary interruption of an earthquake in the early afternoon, the members had by evening *unanimously* decided that ten propositions were heretical and fourteen erroneous. Almost all the propositions, with one possible exception, seem to have been from Wyclif's works or teachings. But in the documents of the council there is no mention of the fact that they are his except for the reference of Archbishop Courteney in a letter to Bishop Braybroke of London, in which he speaks of the propositions as those "which are said to be conclusions of Wyclif"; Wyclif himself only seems to acknowledge some of the propositions as his own.[33]

Archbishop Courteney next obtained a parliamentary statute which authorized the chancellor, upon request of a prelate, to issue orders to the sheriffs or other officials of the realm to imprison any unauthorized preacher praising these doctrines and their "favorers, maintainers and abetters." On June 26, upon Courteney's request, the king issued a patent which simplified procedures and authorized the bishops themselves to imprison any unauthorized preacher, or one suspected of heresy, until he submitted or the government decided otherwise.

The only locality where there seems to have been any immediate resistance was at Oxford University, where the chancellor at the time, Robert Rigg, was in sympathy with Wyclif's theories and allowed some of Wyclif's disciples to preach in his defense. Courteney had sent a letter to Peter Stokes, a Carmelite friar at Oxford, in which he commissioned Peter to read the twenty-four theses which had been condemned and to make it clear that no one in the future should teach, preach, or defend such doctrines at the university. Chancellor Rigg refused to cooperate with the archbishop. Instead he invited two of Wyclif's disciples, Hereford and Repingdon, to preach on the Feasts of Ascension and

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[33] For a list of the propositions and a discussion of their authorship see pages 93-98 in Dahmus, *Prosecution of Wyclyf.*

Corpus Christi respectively, a procedure which stirred up the university considerably.

The next months were taken up with Courteney's determined effort to rid Oxford of Wyclif's opinions. Another meeting of the Blackfriars council was held on June 12, but how many of the bishops were present is disputed. Chancellor Rigg was there with two proctors of the university, all of whom were charged with favoring the heresies and errors of Hereford, Repingdon, and Wyclif. Rigg agreed that the propositions had been justly condemned, but other followers of Wyclif held out for further distinctions. The main scholars on Wyclif's side seem to have been Hereford, Repingdon, Aston, and Bedeman. Hereford and Repingdon appealed to John of Gaunt, but after listening to a dispute between them and other theologians from the university, Gaunt decided that he would have nothing more to do with them. According to the chronicler it was their doctrine on the Eucharist which convinced the duke that they were in error, and he condemned them both in strong language.[34]

Archbishop Courteney continued his efforts to rid Oxford of the opinions of Wyclif. There was another meeting of the council (June 20) and finally some patents from the government to Rigg, commanding him to enforce the suspension and expel anyone favoring the doctrines of Wyclif and his disciples. All the scholars who were of Wyclif's opinion apparently submitted to the ecclesiastical condemnation except Hereford, who escaped to the Continent. He headed for Rome, apparently with the idea that he could convince the pope of the orthodoxy of the theses. At Rome he was condemned to death by a group of cardinals, but the pope intervened and commuted his sentence to life imprisonment. Again he escaped and returned to England, where he finally recanted in 1390 and then later became one of the most "valiant opponents" of the Lollards.

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[34] *Fasciculi Zizaniorum*, p. 318.

Throughout all this time of controversy about his doctrines one might well ask where Wyclif was. The answer is that we do not really know. There is evidence that he engaged in bitter dispute with some of his opponents at Oxford: for instance with John Wells, a Benedictine, about his view on the Eucharist; with Henry Crumpe and Ralph Strode, the latter a Thomist, over the theses concerning dominion. But whether Wyclif was writing from Oxford or from Lutterworth is not clear.

It would seem that it was during the summer of 1380 that Wyclif first clearly attacked the traditional interpretation of transubstantiation, and his position found some adherents at the university. William Berton, the chancellor at the time and a former opponent of Wyclif, convened a group of twelve theologians and canonists to examine the validity of two of Wyclif's conclusions which he was at that time proposing in the schools. This faculty committee decided that the two articles should be condemned, and Chancellor Berton issued a lengthy decree explaining the situation, giving the two propositions, and prohibiting anyone from teaching them under threat of suspension, excommunication, and imprisonment. One chronicler writes that Wyclif was actually disputing at the time of the condemnation. When Wyclif heard of the decision he declared that "neither the chancellor nor any of his accomplices (*complicibus*) could confute his judgment."[35]

Wyclif then appealed directly to the king, and it seems that the Duke of Lancaster came over to Oxford, conferred with Wyclif, and then ordered him to abide by the decision of the council and maintain silence on the subject. Wyclif makes a veiled reference in *Trialogus* which seems to indicate that he discussed his doctrine with someone and promised to keep silence insofar that he would "not use those terms 'substance of material bread

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[35] For a translation and discussion of the decree and of the committee membership see Dahmus, *Prosecution of Wyclyf*, pp. 129-34.

and wine' outside the school."[36] It is possible that this visit of John of Gaunt is our clue to why Wyclif was not cited with the others during Courteney's lengthy investigations. There is a record that Wyclif paid rent from August 1380, but to what date cannot be made out. It is presumed from the amount paid that he was not at the university after 1381. As with so many other events of his life, those of his last years are confused and their chronology is doubtful. John Horn, a priest who lived with him during his last years at Lutterworth, testified under oath that Wyclif had been paralyzed during the two years preceding his death in 1384.

One further event has occasioned dispute. It seems clear that Urban VI summoned Wyclif to Rome during these last years. In his treatise *De citationibus frivolis* Wyclif refers to such a citation and Wyclif scholars have dated it either in 1378 or in 1383. Finally there is a letter which is introduced in the collection formerly attributed to Netter by the rubric "Copy of a certain letter of Master John Wyclyff, sent to Pope Urban VI, to excuse his not coming in answer to his summons. The year of Our Lord, 1384."[37] In this letter Wyclif refers to the pope as "Christ's highest vicar here on earth," and it seems clear from the letter that Wyclif subscribed to the traditional opinion of the papacy. The fact that this letter shows Wyclif as a reformer and critic, rather than a revolutionary anticipating Protestant doctrines of the sixteenth century, may be the reason why some of his admirers have attacked it so strongly. Several Wyclif scholars accept both the letter and the date 1383, among them Shirley, Vaughan, Arnold, and Lewis.[38]

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[36] J. Wyclif, *Trialogus*, edited by G. Lechler (Oxford, 1869), p. 375; Dahmus, *Prosecution of Wyclyf*, p. 133.

[37] *Polemical Works in Latin*, edited by R. Buddensieg (London, 1883), II, 556.

[38] See the detailed discussion of the letter and various opinions about it in Dahmus, *Prosecution of Wyclyf*, pp. 141-50.

The strange fact that, although his followers were cited for investigation and recanted their opinions, Wyclif himself was not called into court by Archbishop Courteney seems to be explained only by the continued interest in and protection of this cleric by the government. By the phrase "the government," John of Gaunt is really meant. From all we know of their relationships it would seem that Gaunt never forgot his former agent and he protected him from Courteney's investigations to the end of his life. John Wyclif must always have been somewhat of a problem for Gaunt; for it is not only the lack of historical data about Wyclif which has made him such a mystery to his biographers, but also his inconsistency. Throughout his works one runs into the distinctions and qualifications which make his thought so difficult to interpret, and the data we have about his life are often hard to correlate. As noted previously, although Wyclif inveighed against wealthy and government-employed clerics, he himself was a pluralist and had been a servant of the crown. It seems clear from the historical record that Wyclif was able to continue his criticism even in the face of strong ecclesiastical disapproval precisely because he himself was a royal agent, and by reason of his friendship with the most powerful political personality on the English scene, he was shielded from ecclesiastical penalties. As he lived, so he died—an enigma; for he suffered his last stroke while hearing Mass.[39]

JOHN WYCLIF IN HIS CENTURY

It would be strange indeed if John Wyclif were not in some way interested in, and influenced by, the various political events which were described earlier in this chapter. There are a few

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[39] Quoted by Dahmus, *Prosecution of Wyclyf*, p. 149 from John Leland, *Antiquarii de rebus Britannicis collectanea*, edited by T. Hearn (London, 1770), III, 409. On the attitude of the government toward Wyclif, consult Joseph H. Dahmus, "John Wyclif and the English Government," *Speculum*, XXXV (1960), 51-68.

indications that he was so influenced. For example, in his lengthy discussion of the relative advantages and disadvantages of both the elective and hereditary types of monarchy, Wyclif points out that the very certitude of the hereditary ruler may incline such a king to become a tyrant, while the bridle of a possible deposition would be a restraint. Again he notes that, since a polity which includes a possible remedy is better than one without such a remedy, so a polity regulated according to a prudent law would be better than one based only on hereditary succession.[40] This is an interesting statement in political theory, especially in the light of events in England in 1327, as well as those occurring during the decade 1370-1380. It is also an interesting forecast, although possibly quite unintentional, of what was to happen in 1399 when Richard II was replaced.

During the Parliament of 1371 there were certain incidents which bear a relationship to some of Wyclif's own arguments and even to his books. In that year, as has been noted, some very severe criticism of existing affairs in governmental matters was voiced. Critics were especially emphatic in demanding the exclusion of clerics from certain offices in the realm. Apparently John Hastings, Earl of Pembroke, headed the group which presented a petition pointing out that the government of the realm had long been in the hands of the men of holy Church, but that they could not be brought to trial in all cases; as a result great mischief had happened in the past and might happen again in the future; would it please the king, therefore, that laymen of his own realm be selected to replace them and that none but laymen henceforth be chancellor, treasurer, barons of exchequer, clerk of the Privy Seal, and all other great officers and governors of the said realm.[41] As a result of this petition William of

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[40] See Chapter IV of this essay, note 8.

[41] Gwynn, *Austin Friars* (Oxford University Press), p. 212: "Inasmuch as the government of the realm has long been in the hands of the men of Holy Church,

Wykeham, Bishop of Winchester, and Thomas Brantyngham, Bishop of Exeter, retired.

Thus Wyclif's demands for the separation of prelates from the offices and duties of the "secular lords" were not uttered as mere abstractions. His constant repetition of these views had certainly some avid listeners during the years 1370-1380.

During this same governmental crisis two Austin friars brought to the attention of Parliament certain arguments and proposals which show that they too were working with the lay lords and against the *possessionati* and prelates.[42] (Possessioners signified monks whose monastic communities held corporate property, the revenues from which formed most of their income, in distinction to the friars who begged their bread.) The representatives of the great monasteries had claimed exemption from the tenths and fifteenths until such taxation had been sanctioned by a vote of convocation. As a matter of fact they won their case and the grant was conceded on condition of a vote of clergy in convocation. However, the articles of the Austin friars claimed to be based on the actual state of affairs; namely that a national need had arisen due to the war expenditures and the financial crisis brought on by this expenditure. They argued that in such a circumstance prelates and great monasteries should contribute *without* waiting for a vote in convocation.

The arguments of the friars were based on a doctrine, held by many medieval scholars, that all goods should be in common and that private property has only the sanction of custom and

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who in no case can be brought to account for their acts, whereby great mischief has happened in times past and may happen in times to come, may it therefore please the King that laymen of his own realm be elected to replace them, and that none but laymen henceforth be chancellor, treasurer, barons of the exchequer, clerk of privy seal, or other great officers of the realm." See the text as quoted in French in *English Constitutional Documents, 1307-1485*, edited by E. Lodge and G. Thornton (Cambridge, 1935), p. 59. Various opinions are noted there.

[42] Gwynn, *Austin Friars*, p. 213.

human legislation. If one admits that in the case of real necessity private property is to be subordinated to the common good, how much more true, they argued, in the case of a general or national need. It is interesting to note that the donation of Constantine was also used as an argument in *their* favor. For it "proved" that the property in question was after all a gift from the prince; hence he could demand it back lawfully when there was a national need for it.[43]

The striking similarity of much of Wyclif's argumentation with these articles will become evident in later chapters of this essay. It should be clear, however, that such similarity does not of itself prove Wyclif's actual dependence on these articles. Such thoughts and doctrines were held by many theologians, but Wyclif's close association with the Austin friars does give an added probability to the interdependence and coordinate development of his opinions on this matter, along with those of the disciples of Giles of Rome.[44]

It is also at this same time that the famous parable of the owl *may* have occurred. Wyclif describes it in his *De civili dominio*.[45] The fable describes the meeting of many birds; among them was an owl. Now the owl had lost her feathers and pretended to suffer much from the frost. She begged for feathers from the other birds and with great success. The owl had barely assumed her multicolored vesture, however, when a hawk was sighted in the distance. Hastily all the other birds demanded back their feathers, and the owl was left more forlorn than be-

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[43] The articles have been published by V. H. Galbraith, "Articles Laid before the Parliament of 1371," *English Historical Review*, XXIV (1919), 579-82.

[44] Gwynn gives several indications of this relationship between the Austin friars and John Wyclif in *Austin Friars*, pp. 193-269 passim.

[45] J. Wyclif, *Tractatus de civili dominio*, edited by J. Loserth (London, 1900-1904), II, vii: "Unde audivi religiosos possessionatos in quodam parliamento Londoniae illud expetere, et unum dominum peritiorem ceteris secundum quandam fabulam respondisse."

fore. The speaker said the moral was very plain: when war breaks out the endowed clergy must be relieved of a portion of their temporal possessions, as property which belongs to the lords and the kingdom and which should be used wisely to defend the country.[46]

Wyclif certainly quoted the story with approval, and the main premise of its argumentation is frequently present in his own reasonings, as will be seen later. Although it must be admitted that such similarity does not necessarily indicate identity of origin, still it does indicate that some of Wyclif's views were written on hotly debated questions of the time.

Then there is the discussion cited in the *Eulogium historiarum* which took place, supposedly, in 1374. The account describes the meeting as occurring in a Parliament at Westminster on May 21, 1374, with the Black Prince and the Archbishop of Canterbury presiding.[47] In front of them were four expert and well-known theologians, one a Benedictine and the others friars. It is interesting to note that the Franciscan, represented as John Mardisley, in his explanation of the famous text about the two swords[48] declares this passage does not mean the temporal and spiritual powers. For Christ our Lord has no temporal lordship, nor has he given such lordship to his apostles; on the contrary, he taught them to leave all.[49] There is a close similarity between this type of argumentation and that which Wyclif uses, especially in *De civili dominio*.[50]

Finally it should be remarked that there are to be found in the pages of Wyclif's political and polemical writings frequent

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[46] *Ibid.*, II, vii.

[47] *Eulogium historiarum*, edited by F. S. Haydon (London, 1858-1863), III, 337-39. Modern historians dispute the value of the account; see Gwynn, *Austin Friars*, p. 218 and H. B. Workman, *John Wyclif* (Oxford, 1926), I, 228.

[48] Luke 22:36.

[49] *Eulogium historiarum*, III, 337-39.

[50] See Chapter III of this essay.

allusions to the "secular lords" (*domini seculares*). At times these remarks are somewhat sarcastic, and Wyclif shows very well that he knows that these politicians do not savor his doctrine on the dangers, evils, and limitations of "civil dominion." The tenor of his remarks does not give the impression of an abstract thinker, always remote from the scenes of actual events, but of an argumentative individual who has not only disagreed with the secular lords but has disputed, at times at least, in personal debates. Wyclif may have kept a closer eye on things political than might have been expected of an Oxford theologian whose days were filled with "ordinary lectures" and to whom a public disputation might be considered more important than a meeting of Parliament.

CHAPTER III

Wyclif and Civil Society

In order to better adapt our mental outlook to that of a medieval political writer, it might be well to consider how important Wyclif regarded the study of theology for the right government of the kingdom. That he should think thus merely shows that Wyclif was considering things from the viewpoint of a medieval scholastic theologian.

IMPORTANCE OF THE THEOLOGIAN TO SOCIETY

When he speaks of theology and the objectives of the theologian, Wyclif speaks with unmeasured praise. Without the faculty of theology the kingdom cannot possibly stand; but through it the reputation of the king is increased and the subject is informed about the correct obedience due to God and his magistrates (*prepositis*).

For Wyclif any science that does not in some way minister to the advancement of theology is not only useless, but is to be forbidden.[1] He is in favor of the decrees forbidding clerics to attend

[1] J. Wyclif, *Tractatus de officio regis*, edited by A. W. Pollard and C. Sayle (London, 1887), p. 177: "Sed ista exigunt continuacionem theologice facultatis, cum sine ipsa, ut dictum est, non est possibile regnum stare. Per ipsum enim fama regis extenditur, per ipsam subditus de recta obediencia deo et suis prepositis informatur; per ipsam versucia diabolica, qua anticristus nititur seducere laicos, declaratur; et breviter quecunque alia sciencia nisi de quanto ministratorie ad ipsam properat est inutilis, et per consequens proscribenda."

lectures in the schools on "physics" and civil (Roman) law; and in his opinion those distinctions which the Glossators have put on the decree of Honorius, explaining that the reference is only to public lectures, are useless. Clerics, he believes, are simply not to study such things.[2]

It is Wyclif's opinion, moreover, that the king should be seriously advised that, of the three important means to be taken to stabilize the kingdom, one is the careful fostering and increase of the faculty of theology; which, incidentally, is in conformity with the laws of the Church, which the king is bound to defend.[3] Knowing these views of his, it should not surprise us that Wyclif is somewhat bitter about the Roman civil law. Whatever is true in the civil law, he explains, is already to be found in the Scriptures.[4]

Moreover there are many things that are evil in this civil law—for example, its permission of usury and prostitution; and in other matters it does not pay sufficient heed to the evangelical law.[5] Wyclif despises it, for one reason because the civil law-

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For interesting similarities in Roger Bacon's thinking see Gilson, *History of Christian Philosophy*, pp. 308 ff.

[2] *De officio regis*, p. 177: "Nec valent glose duplices quibus fructus talium decretalium excluduntur, ut hii dicunt quod dicti ecclesiastici non debent publice audire leges civiles vel phisicam, sed cameraliter bene possunt. Ista autem frustracio legis non differt a frustracione publica nisi quod magis subdole et profundius frustrat talis discolus causam legis."

[3] *Ibid.*, pp. 244-45: "Unde pro gubernacione regni conformiter legi dei posui superius tres conclusiones cum suis declaracionibus, ex quarum observancia cum dei gracia staret regnum; . . . Tercio conclusio seriose consulit quod rex conformiter ad leges ecclesie, quam tenetur in suis legibus ex mandato suo defendere, amplificet et foveat theologicam facultatem."

[4] *Ibid.*, p. 190: "Et cum quidquid dixerit veritatis sit in scriptura sacra, et patet 2° De Doctrina Cristiana in fine, videtur quod plus saperet pure ab illo fonte exhausta."

[5] *Ibid.*, p. 190: "Sed error multiplex est in lege civili, cum permittit usuras exigere, meretrices uti in civitate sua arte; nec attendit in conquestionibus, in iudiciis vel conversacionibus civium iusticiam legis ewangelice."

yers argued that a judge should decide against the truth, which he knows in his capacity as a private person.[6]

His enthusiasm for theology is such that he maintains that, if there is any place in the world where either canon law or civil law or any *ritus* withdraws men from or directly impedes them in their study of theology, then that law or custom should be done away with, apparently using both the secular and the spiritual arms of Christendom![7]

The theologian, in Wyclif's forthright opinion, has a very necessary place in the construction of civil society. That place is not only on the lectern and in the university chair, but at the council table of kings as well. How else would the kingdom stand?[8] For there would not be a king or a people without faith and grace! Hence anyone can see how necessary it is in the kingdom to have teachers of faith and virtue. Wyclif candidly admits the objection that everyone of the faithful is a theologian in his own right, but in these days that is not sufficient. There are so many errors, even among some theologians, that theologians must be more learned than ever to combat such errors.[9]

The king ought to remove heretics from the kingdom. But how can he know what heresy is unless the theologians are there to point it out? Hence it is clear how necessary it is to have theologians beside the king to help him in the management of his

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[6] *Ibid.*, p. 238: "Hii errantes profundius dicunt quod debent iudicare contra veritatem quam noscunt ut persone private."

[7] *Ibid.*, p. 191: "Tercio videtur mihi quod ubicunque terrarum ius civile, ius canonicum, vel ritus aliquis, distrahit vel impedit simpliciter a theologie noticia, ipsum est ab utroque brachio suspendendum."

[8] *Ibid.*, p. 72: "Quomodo ergo sine theologis staret regnum?"

[9] *Ibid.*, p. 72: "Item cum nec est rex nec regnum nec populus sine fide et gracia, patet quod necesse est in regno esse homines qui fidem et virtutes edoceant, erroresque istis contrarios destruant, quia aliter destruentur populus, rex, et regnum. . . . Quod si obicitur omnem fidelem eciam laicum esse theologum, certum est quod sic; sed cum sint hodie tot errores in fide scripture, in tantum quod nostri theologi errant in simbolo et oracione dominica, necesse est esse theologos doctores docciores qui simpliciores illuminent."

realm.[10] This is necessary, not only to find out what heresy is, but also to discern correctly the extent of royal power and to repudiate the excessive claims of extreme papal adherents.[11] (Wyclif's language is considerably stronger.)

In the last years of his life Wyclif saw the first developments of the Great Schism. As he saw it, the cause of the whole schism was the fact that men were so intent on their own traditions, for the sake of gain, that they minimized the value of theological work or even persecuted those on the theological faculty.[12] Nevertheless Wyclif says it is the duty of the theologian to declare what should be said. When he is consulted on matters of the kingdom, he must clearly emphasize that it would be better if all things were in common. For it is the human laws which perplex men. The evil is due to the fact that judges are deciding things on the basis of human laws and are not taking into consideration the laws of charity. It really does not belong to the politician to discuss who should rule because no one can rule without virtue. Indeed it is because men pile up their offenses against God's law that God changes kingdoms, now by the death of heirs, now by conquests or battles. Wyclif openly admits, however, that his whole theory of these matters is repugnant to many and is considered to be gross foolishness by the wise ones of this world

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[10] *Ibid.*, p. 72: "Debet enim rex omnis, quantum sufficit, semovere a regno suo hereticos, quod non faceret prudenter nisi secundum doctrinam et iudicium theologorum qui sciunt solum illi sunt heretici qui sunt scripture sacre, que est lex dei, contrarii. Unde omnes predicti tyranni imposuerunt membris Cristis quo erant heretici. Ideo, deficiente illis regimine et doctrina theologie, incidebant et ipsi in heresim."

[11] *Ibid.*, p. 125: "Et patet sentencia dicta superius xxxiiii. capitulo quod necesse est ad stabilimentum regnorum esse theologos qui soli sciunt discernere quid sit hereticum, et quorum est deterere potestatem regum nimis diu sopitam et blasfemum excessum potestatis vendicatum a pretenso Cristi vicario."

[12] *Ibid.*, p. 257: "Et hec est causa tocius scismatis ecclesie quod homines nimis intendunt tradicionibus propriis propter lucrum, et diminuunt vel persecuntur eos qui laborant in theologica facultate. Hec enim racio quare sunt homines se ipsos amantes, bona communia et celestia deserentes."

because of their lack of faith.[13] Yet this does not deter him from offering his own advice as to the management of England.

Three things must be done if the realm is to be well governed in conformity with the law of God so that, as a result, God's grace may stabilize the government. First of all, the bishops should make a careful yearly visitation and report to the king the state of their dioceses. In support of this proposal Wyclif has recourse to the philosophers' dictum that the king is the superior pastor of his flock.[14] The king is to use great diligence in his selection of pastors; and the power of selection belongs to him by virtue of the principle that, if God gave him the kingship, he also gave him all the powers necessary to it. Those who

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[13] *De civili dominio*, I, xxx, 218: "Unde videtur mihi quod non est theologi consulti super hiis legibus quidquam temere diffinire, sed secundum legem asserere quod melius foret esse omnia communia; et quacunque via perfectus fuerit, poterimus orare pro ipso et hortari ut satisfaciatur virtutibus: unde, propter negligentes inadvertencias ad legem Dei, variat Deus, propter traditiones humanas, nunc mortibus heredum, nunc conquestibus regnorum, et nunc impugnacionibus hominum tam maiora dominia quam minora. Quando enim persone vel communitates ad tantum offendunt Deum suis adinvencionibus quod legi Dei repugnat iniurias inpunitas ulterius cumulari, necesse est vindictam ejus dissipativam iniurie, ad servandum statum ecclesie, distillari. Scio tamen quod ista sentencia reputaretur stulticia propter defectum fidei aput seculi sapientes."

Ibid., I, xxx, 217: "Si enim politici est discutere de moribus regnaturi, dicitur indubie quod tunc non pertinet illi discutere quis regnabit, quia non est possibile sine virtute regnare civiliter."

[14] *De officio regis*, p. 244: "Unde pro gubernacione regni conformiter legi dei posui superius tres conclusiones cum suis declaracionibus, ex quarum observancia cum dei gracia staret regnum; — prima quod capitales pastores regni nostri cuiusmodi debent esse episcopi in annali synodo effectualiter visitent statum cleri subiecti, sic quod nec iniuriatur nec morbidus indigeat partes petere transmarianas, sed quod regi (qui secundum philosophos esse pastor debet superior) fiat fidelis racio de numero et qualitate ovium, sic quod rex noscat quomodo bona regni sui que appropriate consumunt et numerus ac valor sue milicie correspondent. Scribit enim Aristoteles viii. Ethicorum cao xi. quod proprie est amicicia inter pares. 'Regis' inquit, 'ad subiectos in superhabundancia beneficii. Si quidem bonus existens curam habet ipsorum ut bene operentur quem ad modum pastor ovium; unde et Omerus Agamemnon, regem Grecie, pastorem populorum dixit.' Et concordat fides scripture de regibus approbatis, ut patet I[1] paralippom. xi."

attempt to minimize the regal power in this matter are proponents of sacrilegious opinions. The pope ought to instruct the king how to use this power; but if he should attempt to take it away from him, king and people should unite against this attempt. For Christ, according to his divine nature, gave that power to the king, his vicar, before the Roman Church existed.[15] Secondly, he counsels that good pastors be chosen and that pastors of a different spirit, especially the foreign ones, be excluded. As his final measure for the stability of the realm Wyclif proposes that the king should carefully foster the faculty of theology.[16]

From these examples it will be seen that Wyclif tends to propose a theology rather than a philosophy of civil society. All human knowledge must minister to the study of theology, if it is to be worthy of permission to exist; and the theologian is to instruct not merely the people, but the king as well; and that too in the drastic policy of weeding out the tares of heresy from the kingdom. It is interesting to note that Wyclif in one argument uses the authority of Aristotle for his position regarding the royal power over clerics. For his contention that Christ gave

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[15] *Ibid.*, pp. 244-45: "Patet quantam diligenciam rex debet apponere ut ordinet pastores spirituales ydoneos pro custodiendis ovibus gentis sue. Et cum Deus non dat regi regnum nisi det sibi omnia necessaria ad ejus regimen, ac potestas ordinandi tales pastores est unum sibi necessarium ad sui regni gubernaculum, patet quam sacrilega foret pseudocristi sentencia que verbis vel factis sophisticis in hoc suspenderet vel diminueret regiam potestatem. Papa ergo debet reges instruere quomodo debent ad honorem dei et edificacionem ecclesie uti huiusmodi potestate; quod si nitatur potestatem illam tam sacram a Deo singulariter datam diripere, rex cum gente sua debet sibi resistere tamquam pessimo anticristo de quo veritas prophetavit Matth. xxiv. Cristus enim secundum deitatem dedit regi vicario suo illud officium antequam fuit romana ecclesia."

[16] *Ibid.*, p. 245: "Unde 2a conclusio predicta sic consulit quod omnino provideatur de pastoribus privatis ydoneis quorum voces et opera pastoralia oves cognoscant practice, et quod pastores specialiter alienigene condicionis contrarie timore excommunicacionis postposito detrudantur. Tercia conclusio seriose consulit quod rex conformiter ad leges ecclesie, quam tenetur in suis legibus ex mandato suo defendere, amplificet et foveat theologicam facultatem."

such power to kings, however, he does not use any very clear supporting argumentation.

If we keep in mind the theological viewpoint from which Wyclif considers the problems of civil society, the ruler, and his government, we will not be surprised to find that a theological opinion played a dominant part in the formation of his political theories.

WYCLIF AND THE THEORY OF DOMINIUM

When historians of political theory have described the views of Wyclif, they have singled out as characteristic his theory on what he terms *dominium*.[17] Since Wyclif is a scholastic theologian and uses scholastic terms and distinctions, it is not possible to reach a critical appreciation of his position without some knowledge of his main tenets in these matters.[18]

In typical scholastic fashion Wyclif begins his treatise with a definition—a technique which many writers on political theory might at times profitably imitate. *Dominium*, he tells us, is a relationship of rational nature according to which one is said to have charge over his servant.[19] One writer has rather severely criticized this definition as "manifestly an unsatisfactory definition if judged by a logical standard, as it is only verbal not substantive and expresses *idem per idem*."[20] But this is not doing

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[17] In this section the Latin term *dominium* has been kept rather than the English "dominion," after the example of the Carlyles, *A History of Mediaeval Political Theory in the West*, VI, 51 ff.

[18] R. L. Poole, *Illustrations of the History of Medieval Thought and Learning* (Macmillan & Co., London, 1920), p. 254, note 3: "We have to accept a certain logical terminology before we can pretend to criticize a scholastic position such as Filmer's or Wycliffe's." Bishop M. Creighton has also remarked on the need for a knowledge of scholasticism to understand Wyclif. See *Historical Essays and Reviews* (London, 1903), p. 201.

[19] *De dominio divino*, I, c, 1: "Potest dominium sic describi: dominium est habitudo naturae rationalis secundum quam denominatur suo praefici servienti."

[20] G. V. Lechler, *John Wycliffe and His English Precursors*, revised abridged edition translated by P. Lorimer (London, 1884), p. 259.

justice to Wyclif in this matter. For he has placed the object of his definition first in its *genus*; namely, that of a relation, of a "habit." To a scholastic philosopher this meant not only that it was an accident in contradistinction to a substance or any part of a substance, but also that it was a special kind of accidental relationship. Then he continues by attempting to describe some characteristic notes of this relationship. Indeed in the pages following upon this definition Wyclif takes it apart word by word, explaining at great length the three notes which are part of any relationship; that is, the subject to which the relationship pertains, the object to which the relationship is directed, and the foundation or ground for saying there is such a relationship. This is the usual procedure for a scholastic philosopher or theologian in treating of a relationship.

Dominium varies whether one regards the subject, the object, or the ground of this relationship. According to these three parts *dominium* can be subdivided into its species and subjective parts. There is, then, a divine, an angelic, and a human type. According to its foundation *dominium* varies, especially the human type where there is one corresponding to the natural law, to the evangelical law, and to the *jus humanum*. This last is a *dominium coactivum* and varies in accordance with different human laws on which it is founded. Finally, when regard is had to the term or object of the relationship, there is also a diversification. In political *dominium* there is the "monastic," which looks to one house or community (*familia*); civil with respect to a city or larger community than the *familia*; and lastly the regal with respect to the kingdom or empire.[21]

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[21] *De civili dominio*, I, xi, 73: "Hic oportet notare distinccionem in principio tractatus de Divino Dominio, capitulo tercio, declaratum, quod aliud est dominium divinum, aliud angelicum et aliud humanum; ipsum autem subdividitur, cum aliud civiliter coactivum, et aliud ewangelice regimentum."

De dominio divino, I, iii, 15: "Habitum est ad dicta videre divisiones dominii cum autem dominium capit suum esse, et per consequens speciem et dif-

God, of course, has a *dominium* which is quite unique, for accidents do not exist in God and hence "relationship" will be said of God in an analogical way; that is to say, partly similar and partly dissimilar to the way it is found in creatures. Besides, no creature can make a substantial essence—so that thus the creature may have a lordship over it in respect to its very essence—as God can. Hence it is that God is not lord through a regiment of hierarchically subservient vassals, but he governs immediately and directly sustains and holds all that he has.[22] His rule, therefore, is not like that of other kings.

Wyclif is careful to distinguish possession from *dominium*. Possession for him is the actual having of that over which one

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ferentiam, a subjecto, fundamento, et ab obiecto, patet quod ex quolibet horum trium capi potest divisio dominii in suas species et partes alias subiectivas. Unde cum tres sint maneries racionalium naturarum, patet quod correspondenter est dare tres modos dominii: ut aliquod est dominium divinum, aliud angelicum, et aliud est humanum. Solum autem tali nature declaratum est dominium posse inexistere subiective. Iterum secundum fundamenta dominii variantur sue species, specialiter in homine. Nam, sicut aliud est jus naturale, aliud jus ewangelicum, aliud jus humanum; correspondenter aliud est dominium naturale, aliud ewangelicum (ut est dominium caritatis sive vicarium, quando quis in nomine Cristi accipit ab alio ministerium), et aliud est dominium coactivum, ut supra dictum quod variatur secundum variacionem legum ut jurium ipsum fundancium. Variatur eciam ex termino objectivo, ut ex principio subiectivo: ut dominii politici aliud est dominium monasticum, aliud civile, et aliud est regale; monasticum respectu unius domus sive familie, civile respectu civitatis vel communitatis amplioris familie, et regale respectu regni sive imperii. Unde Aristotelis, primo Politicorum, iii, ex istis principiis distinguit dominia, et ex istis putat capi ulteriores divisiones dominii."

[22] *De dominio divino*, I, v, 33: "Unde Deus (ut supra) racionabiliter capitalis dominus debet dici. Qui ergo credit creatura dominium posse Dei dominio coequari, videat primo si subiectum et suum accidens possunt esse in entitate paria, vel si creatura potest facere simpliciter aliquam substancialem essenciam, ut sibi dominetur quoad substanciam; et constat quod non. Ideo Deus non mediate, per regimen vasallorum subserviencium, ut reges ceteri, dominatur, cum immediate et per se facit, sustentat, et gubernat omne quod possidet iuvatque ad perficiendum opera secundum usus alios quos requirat." This passage exemplifies some of the feudal connotations of Wyclif's theory which commentators have noted. See Poole, *Illustrations of the History of Medieval Thought and Learning*, p. 247 and H. B. Workman, *The Dawn of the Reformation* (London, 1901), I, 159.

has *dominium*. It is in a middle position between *dominium* and use. But in God's kind of *dominium*, as said before, these things are not distinguished, since there are no such distinctions in the divine essence.[23]

When one speaks of human lordship, then, it is really only a stewardship held from the supreme Lord; for no creature serves another except insofar as he serves his God. Thus no one is placed in servitude unless God, as principal lord, first places him there. Finally, the creatures who dispense temporal goods of God need the mutual spiritual help of their brothers for the edification of an integral militant Church.[24]

Following upon this we are introduced to the famous doctrine about the close relationship between *dominium* and the personal moral condition of the one holding the *dominium*. First of all, Wyclif distinguishes between the words ordinarily used for gift, *donatio* and *dacio*. The word *dacio* is used ambiguously either for gifts of nature or gifts of grace. Wyclif restricts the meaning of *dacio* to the gifts of nature and uses the word *donatio* to mean the gifts of the supernatural order of grace. God gives to just and unjust alike, to men and to beasts, the gifts of nature; but the gifts of grace are given only to just men. He

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[23] *De dominio divino*, I, v, 35: "Possidere namque est habere suum dominatum: et sic omnis possessio consequitur dominium tamquam posterius tempore vel natura. . . . Et sic est possessio medium inter usum et dominium, ex Dei supportancia causata, qua illabitur essencialiter induens quamlibet creaturam. . . . Nec sunt ista a politico respuenda, quia indubie sunt principia tam essendi quam cognoscendi dominium, possessionem, et usum, conveniencia creaturis; nec distinguuntur in Deo penes subiectum vel obiectum cum sit idem penitus in hiis tribus."

[24] *Ibid.*, III, vi, 250: "Primo quod quelibet creatura racionalis sit improprie dominus, quin pocius minister vel dispensator supremi Domini. Patet ex hoc quod quelibet creatura est servus Domini habens quidquid habet ex mera gracia ut dispenset. . . . Secundo supponitur quod, sicut nulla creatura servit alteri nisi eo ipso serviat Deo suo, sic nulla creatura in aliquod premiat servum nisi Deus eo ipso principalius premiet in eodem. . . . Tercio supponitur quod creature dispensantes bona temporalia Dei sui egent mutuo spirituali iuvamine confratrum integrancium ecclesiam militantem."

argues that Scripture shows this from the saying that God causes his sun to rise on the just and the unjust and the rain to fall on good and bad alike, because the passage does not say that God is *giving* them anything.[25]

For Wyclif, then, God does not approve of a *dominium* which is held by the unjust man. For, he argues, if God did, then he would approve of the use of that *dominium*. But since in Wyclif's theory every act of such a man in mortal sin is another sin, his use of *dominium* would be sinful and God would thus be approving that use. This would mean that God would be approving a sinful act, which is a blasphemous opinion to hold. Or again Wyclif thought that, if God approves of such a sinful man's ruling, and since he rules by tyranny, then one would have to conclude that God was approving tyranny and therefore approving this man's sins.[26]

The unjust man does not have a real *dominium*, but through God's permissive will only holds things for a while. Strictly speaking, then, the unjust man does not have *dominium* though he has the natural goods in improper manner. The just man dominates justly whatever he has charge over, but the unjust

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[25] *De civili dominio*, I, ii, 11: "Pro quo notandum quod donacio dicit gratuitam dacionem, et dacio est equivocum ad tradicionem solum ad bonum nature aut esse primum, vel ad bonum gracie vel perfeccionem secundam; primo modo dat Deus omni inanimato vel injusto quidquid habet; sed secundo modo dacionis, que est donacio, non dat aliquid nisi justis. Unde signanter dicit Scriptura quod Deus *solem suum facit oriri versus malos et pluit super injustos* sed non dicit quod aliquid donat eis."

[26] *Ibid.*, I, i, 8: "Hoc ergo habito probatur quod Deus non approbat quod injustus aliquis dominetur, quia sit de Petro injusto. Contra, si Deus approbat istud dominium, per idem approbat usum illius dominii et omnia alia que sibi pertinent; et cum omnis talis abutatur bonis domini (ut patet ex secundo argumento) sequitur quod Deus approbat hunc abusum; ymmo, cum quodlibet opus talis iniusti sit peccatum, sequitur quod Deus sit auctor et approbator peccati, non solum quoad esse secundum sed quoad esse primum; quia, si Deus vult quod iste dominetur et iste solum sic dominatur tyranisando sequitur quod deus vult quod ipse tyranniset, et per consequens, ut sic, peccet: quod est blasphemum dicere." See also *ibid.*, I, ii.

man merely occupies what belongs to another. Wyclif maintains, too, that this is the viewpoint not only of Fitzralph, but also of Augustine, Jerome, Hugh of St. Victor, Grosseteste, and others; and he argues that as Christ has lordship over the universe, so we as his brothers and coheirs share in that lordship.[27]

It will have been noted how completely Wyclif's theological opinions permeate this concept of *dominium*. The connection of *dominium* with sin and the exclusion of the unjust man from true *dominium* are two of the most essential principles in the whole of Wyclif's political theory. The connection between *dominium* and sin appears to rest on Wyclif's interpretation of the principal argument that "as a man is, so he lives." By this Wyclif apparently means to say that, if a man is in mortal sin, then all his acts are sins. Hence to possess and use possession, to have *dominium*, falls under this category and is a sin. An unjust man who exercises *dominium* is committing sin in all his acts of *dominium*. If God were to approve such a *dominium*, he would be approving the unjust man's way of acting, which for Wyclif always means sin. This would be declaring that God approves sin in approving of this man's *dominium*. Thus Wyclif enforces his interpretation of the dictum that there is no true *dominium* without grace.[28]

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[27] *Ibid.*, I, vi, 46: "Sed loquendo de habitudine, que foret dominium, quia non existit (licet deceptis appareat ipsum esse), concedendum est simpliciter quod injustus non habet dominium, licet habeat bona naturalia modo improprio."

Ibid., I, ix, 65: "Patenter innuitur quod omnis justus simpliciter dominatur juste omnibus quibus preest, injustus autem injuste occupat aliena sicut notat et declarat dominus Armakanus . . . utilis testis istius sentencie; et idem dicit Augustinus, Ieronimus, Hugo de Sancto Victore, Lincoliensis, et alii doctores, quibus concesse sunt primicie sensuum Scripturarum. Sed et doctor gencium, *Hebr.* ii, 8, probat quod Christus habet dominium universitatis humanitus, per illud Ps. *Omnia subiecisti sub pedibus ejus: in hoc*, inquit *quod omnia eis subiecit, nihil dimisit non subiectum ei.* Sed cum nos simus fratres Christi, filii adoptivi, coheredes sui, sequitur per idem quod omnia sunt nobis subiecta, eciam ipsemet Christus."

[28] *Ibid.*, I, i, 2: "Sed peccator caret vero dominio quoad Deum, quod quilibet existens in peccato mortali caret, ut sic, vero dominio quoad Deum. Argumentatur

It will be seen that Wyclif's two essential points are here asserted rather than proved. His first premise, that every single act of a man who has committed a mortal sin is another new sin, he substantiates by saying that as a man is, so he acts, and he refers his reader to Matthew 6, 22-23. Wyclif thus merely restates that which is to be proved; that whenever a man who is in mortal sin acts, he commits a new sin.

Secondly, the exclusion of the unjust man, or man in mortal sin, from *dominium* seems to be based primarily on his argument that only thus is God's sanctity protected adequately from cooperation with evil. There is no doubt that in his argumentation Wyclif is concerned to safeguard God's sanctity. What he fails to see, apparently, is that his second premise proves too much. For if the use of property by an unjust man constitutes approval of sin on God's part, there is no reason why that same line of argumentation should not also hold with regard to the *bona naturalia*. Hence every use that an unjust man makes of anything that God has bestowed on him, either as a *donatio* or *dacio*, is open to the same objection. We are reduced to the necessity of

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sic: Omne bonum quod talis possidet, iniuste possidet, ergo deficit a cuiuscunque dominabilis vero dominio. Antecedens probatur: Peccator solum illo modo quo est possidet, sed qualitercunque est iniuste est, ergo qualitercunque possidet iniuste possidet; maior patet ex hoc quod mortale peccatum cum inficit naturam, multo evidencius inficit omnem modum vel accidens eiusdem, ut si vita hominis sit iniusta ita quod iniuste vivit, tunc quelibet operacio eius est iniusta cum non aliter operatur quam vivit, et cum vivere viventibus sit esse . . . patet quod sicut iniuste est et vivit, ita iniuste est dominus et iniuste subiacet cuilibet signabili accidenti. Ista racio, etsi videatur multis sophistica, daret tamen cuilibet methaphysico plenam fidem, cum sit conclusio primi philosophi: *Math* vi, 22, 23, sic dicit: *Si oculus tuus simplex fuerit, totum corpus tuum lucidum erit; et si nequam fuerit, et corpus tuum tenebrosum est.* Cum ergo secundum sanctos noscentes quomodo Veritas modo suo intelligit per organa operaciones elicitas ab eisdem patet quod iste sit sensus: Si intencio sit recta, tota multitudo operum consequencium erit justa, et si intencio obliquet a iusticia, tota multitudo operum etiam bonorum de genere est iniusta."

immediate annihilation of the sinful creature to safeguard God's *dominium* from the taint of evil cooperation.

Wyclif connects civil *dominium* in general with sin and imperfection, and it is especially noteworthy that in these passages he seems to place it among the gifts of grace or dependent upon them. That *dominium*, in the wide sense of the term as he uses it, comes under the "*donatio secundae perfectionis*" is a point which is not clearly brought out in his theory. His main proof for the removal of *dominium* from the unjust seems to rest on his argument that it involves actual divine cooperation with sin as sin. This involves him in the logical difficulty noted above. By placing a premise which proves too much, he thus weakens all the structure of his theories; for it is upon this connection of *dominium* with a man's actual state of grace that much of the structure rests.

Incidentally, it is well to know that Wyclif recognized that his doctrine about the connection between personal righteousness and *dominium* was not very pleasing to many people. Such persons who deride his work are "politicians" and "worldlings"; Catholic truth is not to be confined because of their incorrect use of terminology. They should realize that they are mere servants of God; they are his stewards. Besides, if they object that his doctrine confounds the whole business of temporal exchange and its usual terminology, they should recognize that nothing is given rightly unless it is given as it should be; and unless given thus, the gifts of God are merely dissipated. The apostle has declared that all should be done in the name of the Lord and if anything is given, it should be ascribed to the donation of God and so of accommodation and sellings and such like transactions. But the politicians have christened transactions with their own terms taken from human law.[29]

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[29] *De dominio divino*, III, vi, 254: "Scio enim quod ista sentencia deridebitur a politicis et mundanis, cum exuit dominos a remuneracionibus graciosis. Item cum

From the reading of such passages as these one cannot help but feel that Wyclif had a rather hearty contempt for the "politicians" (*politici*), as he terms them. This attitude was in all probability thoroughly reciprocated.

WYCLIF AND CIVIL SOCIETY

In treating of the origins of civil society Wyclif again shows himself more of a theologian than a philosopher and more of an Augustinian than an Aristotelian. In pointing out the distinction and separation between the evangelical and civil *dominium* he recalls the words of Christ to his apostles, that they should not lord it over one another as do the Gentiles. He sees in this a proof that civil *dominium̃* was introduced by pagan customs; and the coactive power of the state from custom and the consent of the people was reasonably commended by the apostle, for not without cause does the prince bear the sword.[30]

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confudit actus humanos circa commutaciones temporalium, quod non distinguit inter donacionem humanam et debiti reddicionem, accodmodacionem, et quamlibet aliam dacionem; quod sine causa confuderet sensus politicos . . . ad primum dicitur quod propter dominos seculares ac eorum locuciones improprias non est veritas catholica subticenda. Unde expediret dominos temporales recognoscere quod non sunt nisi ministri vel ballivi Domini, ut sic omnia quecumque fecerint, in nomine Domini Dei sui faciant. . . . Quoad secundum dicitur quod actus tales hominum se invicem consequuntur, cum nemo donat sed dissipat bona Domini, nisi dederit ut debet, et quibus est debitum ita dari. . . . Nam cum juxta doctrinam apostoli, *ad Col.* iii, 17, omnia in nomine Dei debent fieri, patet quod, si quid donant, hoc debet ascribi donacioni Dei, et per consequens accomodacioni ac alteri commutacioni graciose quoad Deum; imo debet vocari reddicio quoad Deum. Politici autem, tamquam mundi principes, quasi in nomine suo communicarent, talia baptisant terminos secundum consideracionem legis humane, ut distinctio commutacionem capiatur penes legum humanorum disparem racionem."

[30] *De civili dominio*, I, xi, 75: "Unde, distinguendo dominium civile et ewangelicum (ut tactum est superius) atque secludendo ab eis civile dominium, ita dicit, *Reges gencium dominantur eorum et qui potestatem habent super eos benefici vocantur: vos autem non sic.* Ecce primo quod civile dominium est ritu gencium introductum, et potestas coactiva ex consuetudine et consensu acceptata est a populo racionabiliter commendata, quia *Rom.* xiii, 4, quod non sine causa portant gladium."

However, for the disciples of Christ who are to follow a more excellent way there is a better form of *dominium*; and hence the saying "*Vos autem non sic*" excludes them from civil *dominium*. Moreover, it binds as a negative precept of the law; by which Wyclif means to say, not only when the occasion arises but always and everywhere.[31]

Civil law was developed in a human way on the occasion of sin and to justify the coactive power of the state with regard to the goods of body and of fortune; but the evangelical law corrects matters, rather with regard to the gifts of the order of grace. But after the endowment of the Church there was a development into a canon law, which regulated the goods of nature and fortune for the clerics, and a civil law, which ruled the relationships of the laity. From the intermingling uses of these two sets of law much discord has come into the Church.[32]

Although Aristotle did not consider the different condition of mankind before and after the fall, his *habicio* or tenth predicament is founded in natural *dominium*. At this point Wyclif notes that, granted the sinfulness of men after the fall, it became a necessity to lay down human laws and ordinances. Otherwise fallen men would have taken as much as they could of this world's goods according to their uncontrolled desires. On the other hand, if the whole human race would perfectly observe the law of charity, such human laws would be useless. Therefore

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[31] *Ibid.*, I, xi, 75: "Sed quia oportet discipulos Christi, si voluerint ipsum sequi, excellenciorem modum dominandi addiscere, adicit negativam, que generaliter obligat et pro semper, dum dicit, *Vos autem non sic*."

[32] *Ibid.*, I, xviii, 125: "Jus autem civile est jus occasione peccati humanitus adinventum ad justificandum rempublicam coactive quoad bona corporis et fortune, sicut jus ewangelicum rectificat quoad bona gracie; sed post dotacionem ecclesie adinventa est una differencia inter jus canonicum et civile, quod jus canonicum rectificat bonum fortune et nature parti ecclesie clericali, jus vero civile rectificat predicta bona parti ecclesie laycali. Et de commixtione usus istorum disseminatum est seminarium magnum discordie in ecclesia sancta Dei."

the farther mankind drifts from the law of nature or the evangelical law, the more will men pay attention to human traditions as just; thus they will neglect as useless the laws of nature or the evangelical law. Therefore the civil law, insofar as it can lay claim to justice, is a law effecting suitable remedies for the utility of the state, for the guardianship of temporal things, and for the restraint of human wills bent on unjust seizure of them, as well as for their wise ministration in times of necessity.[33] In confirmation of his theory Wyclif points out the gradual decline of the Hebrews from the simplicity of their earlier customs to the increase of human traditions. This multiplicity is for him a sure sign of the increasing wickedness of the world.[34]

According to his theories, therefore, civil *dominium* was introduced by reason of sin; and it would not have existed in

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[33] *Ibid.*, I, xviii, 128-29: "In dominio ergo naturali fundatur habicio que est decimum genus praedicamentorum, etsi Aristoteles non consideravit pertinenter statum innocencie atque lapsus: ulterius autem dicendum est quod jura civilia, in quantum jura vel leges nominant, forent justa; unde, supposito lapsu humani generis et cecitate proclivi bonis sensibilibus precipue innitendi, necesse fuit leges vel ordinaciones humanas statuere, ne quilibet lapsus de bonis fortune caperet quantumcunque voluntas indebite inclinaret. Et indubie si totum genus humanum perfecte observaverit regulam caritatis, superflue foret inniti dictis legibus: unde de quanto genus humanum elongatur a jure nature vel lege ewangelica, de tanto necesse est quod dictis legibus diligencius innitatur; in tantum quod posset contingere, sicut nutribus veneno, quod solum istas tradiciones hominum acceptet populus tamquam iustas, abiciendo leges nature vel ewangelicas tamquam inutiles. Sequitur ergo quod jus civile vel humanum, ut sapit justiciam, est jus ordinans ydoneum ad custodiam temporalium pro utilitate reipublice, ad refrenandum voluntates ipsam iniuste dirrumpere et ad sagaciter ministrandum illa in necessitatis tempore."

[34] *Ibid.*, I, xxxv, 256: "Quantum ad duas Scripturas Genesis et Ieremie allegatas, patet attendenti seriem Scripturarum quomodo in statu legis nature a statu innocencie modicum declinante. Hebrei specialiter non intendebant tantum tradicionibus arcium humanarum sicut fecerunt postea, quando caliditas dolos involvit simplicitate innocencie declinante. . . . Et sic tempore legis nature, nunc possessio, nunc iuramentum, nunc aque vel sanguinis effusio, vel aliud signum notorium suffecit pro carta; sed invalescente subtilitate tradicionis humane, sicut secundo tempore legis date et specialiter post regum regnum, tempore Ieremie multiplicata sunt signa contractuum, ut hodie. Et ista multiplicatio attestatur indubie mundi maliciam."

the state of original innocence, for the bond of charity is the best cord of union by means of which men are to help themselves. But now, because of the perversity and disobedience of mankind, it is necessary and ordained by God that there be secular lords whose task it is to lead back the parts of the human race to concord and peace. Therefore these lords should never wage war except for this purpose.[35]

Although it is ordained by God as necessary that there be secular lords, Wyclif does not hesitate to maintain that civil *dominium* is connected with sin; nay more, it is in itself sinful. In responding to the question of whether it is better to lack civil *dominium* than to have it, he writes that it is better to lack it, and argues that the possession of it involves venial sin. To the objection that newly christened babies inherit the lands of their dead parents and they surely do not commit sin, he replies that even a baptized baby of one day is not free from actual venial sin, because the venial sin of omission or of origin is a defect founded in the tendency to sin, which the child has from the "*fomes peccati.*" Those raised miraculously again to the state of innocence (as was our Lord and, as it is believed, his mother and other saints at least at the hour of death) do not have civil *dominium* in actuality or in *habitu*, because it is repugnant to that state of theirs as well as to the state of original innocence to have such civil *dominium.*[36] It would be difficult to find a

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[35] *De officio regis*, p. 247: "Quantum ad istud dictum est libro tercio diffuse quomodo occasione peccati introductum est civile dominum, cum in statu innocencie non fuisset, et post lapsum tempore utriusque testamenti illi qui vixerunt perfeccius illud dominium abimerunt. Nam vinculum caritatis, subducto timore servili, est liga optima qua homines se iuvarent. Sed supposita inobediencia et contrarietate humani generis est necessarium et ordinatum a deo quod sint domini seculares, quorum omnium principale officium est reducere partes humani generis ad concordiam et amorem, et per consequens nunquam bellarent nisi gracia huius finis."

[36] *De civili dominio*, III, x, 161: "Si autem queratur utrum civilis possessio sit perfeccior quam possessionis talis carencia, dicitur quod illo modo quo inter positivum et privativum potest fieri comparacio in suo analogo, perfeccior est

more explicit statement on the inherent evil of civil *dominium*, and it is a principle which is basic to Wyclif's political theory as a whole.

In another passage, when speaking of the possibility of Christ's having civil *dominium*, Wyclif excludes it precisely because it involves venial sin. And he argues that it involves sin because it connotes and implies a solicitude about temporal things which is a distraction from the love of God and the type of contemplation which a man would have had in the state of innocence; and since such a minimizing of the love of God partakes of venial sin, it was not befitting that Christ should have such a type of *dominium*.[37] Nor could Christ have acted as judge according to civil law, for such a course of action is to possess civil *dominium* or to rule. In fact Wyclif points out that, if one studies closely the essence of rulership and all the acts of civil

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carencia civilitatis quam civilis possessio, quia praestat, ymmo ad illam consequitur; secunda autem implicat veniale peccatum. Quod si obicitur de infantibus baptisatis, quod mortuis parentibus succedunt in civili dominio sine peccato mortali vel veniali, dicitur quod infans unius diei quantumlibet baptisatus non est immunis a peccato veniali actuali, quia peccatum veniale omissionis vel originis est defectus fundatus in pronitate peccandi quod infans habet ex fomite peccati, ultra hoc quod habuisset in statu innocencie. Sed omnis caret in via tali defectu, nisi miraculose fuerit ad statum innocencie recreatus, sicut fuit de secundo Adam et creditur de matre sua ac de aliis sanctis saltem in articulo mortis. Tales autem mundi a peccato veniali non habent civile dominium in actu, quia ad hoc requiritur deliberacio et voluntaria acceptacio, nec in habitu, quia repugnat illi statui, sicut statui innocencie, quod civiliter dominentur."

[37] *Ibid.*, III, v, 73: "Preterea non decuit Christum assumere illum statum quem inpossibile est sine peccato saltem veniali continuare; huius status est civilis dominii, ergo ille status Christum non decuit. Argumentum patet eo quod minimum inconveniens foret Deo inpossibile, ymmo sicut cuique statui pure innocencie repugnat peccatum veniale, sic statui Christi, qui est status summe innocencie, eciam necessarius summe perfeccioni humane. Minor autem ex hoc evidet quod actus civilis dominii cum sit active regere quoad temporalia implicat sollicitudinem temporalium a contemplacione et per consequens a dileccione quem homo habuisset in statu innocencie distrahentem; sed quelibet remissio dileccionis Dei pro statu innocencie sapit peccatum veniale, ergo . . ."

rule, it will be seen that the most important one is that of judging; for by it the state is ruled in civil justice and the rebellious coerced by human law.[38]

This is indeed an important statement, for it throws an interesting light on his theory of government. It also shows that for him civil *dominium* is not property in the modern sense of the term. It is well to remember how closely connected land and government were in his day; for although feudalism was declining, much of society still moved within its framework.

In a later passage Wyclif attempts to extricate his theory from the logical difficulty which his opponents put to him. They argued that, if civil rulership involves sin and imperfection, then the more one has of it, the more imperfect he is; but the king has it in its plenitude; therefore the king is most imperfect! Now this is against men's experience; besides, some kings have been canonized. Wyclif's answer to this amounts to a denial of the major premise. His reply is that, if the king and secular lord conduct their lordship according to the needs of their office, they are more perfect than their subjects; and if they abuse their office, they are more guilty. He adds that the whole type of lay office, no matter how much it is increased, is of inferior dignity to the clerical office, just as a line, no matter how far it is extended, will never become a plane surface.[39] Wyclif's answer is

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[38] *Ibid.*, III, viii, 117: "Quod autem sit inpossibile Christum iudicare civiliter, sic ostendo. Nemo potest iudicare civiliter nisi qui potest dominari civiliter, patente minori ex declaratis hic et VI capitulo. Maior sic ostenditur: Si homo iudicat civiliter, et omne sic iudicare est regere, sequitur quod ille homo regit civiliter; non enim est aliud regere pertinens ac civiliter iudicare. Et patet consideranti quiditatem regiminis, quod inter omnes actus civilis regnacionis sive regiminis iudicare civiliter est actus precipuus; par hoc enim regitur respublica in civili iusticia et persona rebellis humanis legibus cohercetur; quod pertinet ad regem et dominium secularem."

[39] *Ibid.*, III, x, 163: "Quarto replicatur de civili dominio, quod si sonat inperfeccionem, tunc magis sonat inperfeccionem, maiorem et per consequens summum civile dominium sonaret maximam inperfeccionem; et sic domini ut

an interesting one, but it seems to be at variance with his clear statements about the relationship of sin and *dominium*.

Wyclif's emphasis on the connection between civil *dominium* and sin also leads him to maintain that every civil lord sins, at least venially, by the mere distraction which he suffers by reason of his *dominium*. Moreover, if a king were to divest himself of all solicitude both actual and habitual with regard to his civil *dominium*, he would not really rule civilly any more than did Christ. In fact this was the condition of Edward the Confessor at the end of his life. Not only would such a ruler not care whether the kingdom were taken from him by force or not; he would even rejoice in such an event, accepting it as a just punishment with the desire that all things be in common as they were in the state of innocence.[40]

This connection of civil *dominium* with sin by its origin and, with venial sin at least, in its use is one of the main reasons advanced by Wyclif for the exclusion of ecclesiastics from civil *dominium*. He stresses the fact that human *dominium* is divided into evangelical and civil, and the evangelical type is the only one which ecclesiastics should have. It is precisely because of

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reges et imperatores forent Christiani maxime inperfecti; consequens contra experienciam et approbacionem ecclesie que plures huiusmodi canonisat. Hic negatur prima deduccio quia domini temporales si virtuose presint secundum exigenciam officii sui, sunt suis subditis plus perfecti, et si male presint, sunt suis inferioribus plus culpandi; et cum totum genus laicalis officii quantumlibet creverit est dignitate inferius quam officium clericorum, linea quantumcunque nobis finite creverit non attingit magnitudinem superficiei."

[40] *Ibid.*, III, x, 169: "Quod stat regem prius regnantem civiliter exuere se ab omni sollicitudine in actu vel habitu, ab omni affeccione inordinata vel inani gloria. Sed certum est quod non tunc regnat civiliter plus quam Christus et illo modo potuit fuisse de sancto Edwardo confessore in fine vite sue. Sed tunc non curasset in actu vel habitu, licet totum regnum suum devolutum fuerit ad alios per conquestum, ymmo talem iniuriam illatam cum gaudio suscepisset, sciendo omnem penam esse iustam relinquendoque totam sollicitudinem seculi et volendo omnia sine civili dominio esse in communi, ut in statu innocencie *cuperet dissolvi et esse Christo*."

the imperfection of civil *dominium*, and because it was introduced by sin, that Wyclif believes it to be forbidden to ecclesiastics by Scripture and by the teaching of Augustine, Origen, and others.[41]

It can readily be seen from these theories and principles that Wyclif is not in agreement with the Aristotelian-Thomistic philosophy on the origin of civil society, which traces civil society to the nature of man rather than to the sin of Adam. But again it must be noted that the concept of civil *dominium* is always connected in Wyclif's descriptions of it with the idea of coaction and force. Hence he never seems to envision the Aristotelian idea of the city-state as the culminating point of man's natural development. Indeed, such an Aristotelian concept taken in isolation and pushed to extremes leads the Christian thinker into difficulties, for it leaves out of consideration the possible existence of another organization of a supernatural character instituted to save men's souls.

Indeed Wyclif does consider a world in which there are *two* divinely ordained powers; hence his problem is far more difficult than that of Aristotle. What he does not envision, or at least does not write about, is the possibility of a civil society on the purely natural plane, which flows from the nature of man as evidenced from his gifts of speech, reason, and his mutual needs for moral and intellectual development beyond what the family can provide.

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[41] *Ibid.*, I, xi, 73-74: "Hic oportet notare distinccionem in principio tractatus de Divino Dominio . . . quod aliud est dominium divinum, aliud angelicum, et aliud humanum; ipsum autem subdividitur, cum aliud civiliter coactivum et aliud ewangelice regimentum; primo modo non debet ecclesiasticus dominari, sed secundo modo debet quilibet Christianus modo suo dominari cuilibet . . .

"Ex istis colliguntur quod Scriptura sacra, Origenes, Augustinus, et quotquot alii negaverunt dominium regnacionem a viris ecclesiasticis, intelligendi sunt de dominio civili coactivo, quod in penam peccati introductum est et viris ewangelicis propter ejus inperfeccionem interdictum est."

WYCLIF AND THE RESPUBLICA CHRISTIANA

Wyclif's theories on what modern political writers usually term "church" and "state" may come somewhat as a surprise to those unfamiliar with medieval opinions. But if one recalls the philosophical and theological views of the age in which he lived and taught, it would be much more surprising were it otherwise. With regard to the origins of civil society Wyclif was a reactionary, in the sense that he clung to the viewpoint of the older "political Augustinianism" rather than the then "modern" tendency toward a synthesis of the Aristotelian *Politics* with Christian thinking, and this despite the fact that one of the best examples of the latter tendency was written by St. Thomas Aquinas a full century before Wyclif's writings, in the fourteenth chapter of the first book of *De regno*.

It will not then be so surprising to learn that Wyclif held the usual concept of one *ecclesia* in which there were two powers, the temporal and the spiritual. For him it is clear that in the mystical body of Christ, which is the Church Militant, there are two classes: the temporal lords, who by reason of their active life are to be compared with the hands, and the *speculativi* (divested of riches and on fire with charity), who are to be compared with the eyes. The men who dispense the temporal goods of God need the spiritual help of their brothers, and together they make up the Church Militant.[42] For the two powers proceed from the same source, Jesus Christ, and the imperial and the priestly power are mutually necessary for the preservation of

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[42] *Ibid.*, II, iv, 31: "Constat quidem quod in corpore Christi mistico quod est militans ecclesia temporales domini racione vite active comparantur manibus et speculativi similantur oculis qui debent esse nudi diviciis et ex fervore caritatis ac alienacione a carnalibus instar oculorum nunquam frigescere et more speculatorum pericula ecclesie ac commodo providere."

De dominio divino, III, vi, 250: "Tercio supponitur quod creature dispensantes bona temporalia Dei sui egent mutuo spirituali iuvamine confratrum integracium ecclesiam militantem."

the well-being of the *ecclesia*.[43] The fact is clear that every member of the Church ought to help every other one, and the temporal lords are members of the *ecclesia* as are the priests who own property; hence they ought to help one another. It is to be noted that this interaction of the members of the two "arms" of the *ecclesia* is very necessary for Wyclif's argument that the temporal lords can punish the evil-living clerics by sequestration of their goods.[44]

The temporal lords rule immediately and directly over their subjects with regard to temporal goods and things of the body; and consequent upon this and indirectly with regard to things of the soul. On the other hand, the sacerdotal power should rule immediately and directly with regard to the spiritual things; and consequent upon this and indirectly over the goods of nature and fortune. So it is fitting that their jurisdictions should be mingled and that both should help each other.[45] For God has two vicars, the king in temporals and the priest in spiritual matters. The king should severely repress the recalcitrant, as did

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[43] *De civili dominio*, II, viii, 77: "Ex illa lege [Wyclif quotes it as from Constantine, but as the editor of this volume of *De civili dominio* points out, it is a law of Justinian, *Auth. Coll.* I, tit vi, Nov. vi, Praefatio ad cap. I "Quomodo episcopi presbyteri . . ."] legi Dei consona et per consequens per nullam aliam abroganda patet primo quod utraque potestas imperialis et sacerdotalis procedens ab eodem principio Jesu Christo, eciam necessaria est iuvamento reciproce ad conservandum statum ecclesie."

[44] *Ibid.*, II, xii, 137: "Item, quodlibet membrum ecclesie debet iuvare quodcunque, domini temporales sunt membra ecclesie cum sacerdotibus possessionatis, ergo debent iuvare eos; sed in casu possibili precipuum iuvamentum foret auferre ab illis bona sua: ergo in casu possibili hoc debent."

[45] *Ibid.*, II, viii, 70: "Secunda pars conclusionis patet eo quod ordo in correpcione fraterna est diligentissime observandus, ut domini temporales regant immediate et directe suos subditos quoad temporalia et quoad corpus: consequenter autem et accessorie quoad animam. Quod tamen debet esse primum in ordine cause finalis. E contra autem sacerdotes Christi debent principaliter et directe regere quoad spiritualia carismata ut virtutes; consequenter autem et accessorie quoad bona naturalia et fortune; et sic oportet suas iurisdicciones esse conmixtas et mutuo se iuvantes stante racione decoris et morum."

God in the Old Testament; but the priest ought to administer his command mildly, in the time of the law of grace, as did Christ, who was both king and priest. For according to Augustine the king has the image of God and the bishop has the image of Christ. This means, according to Wyclif, that the king bears the image of the divinity of Christ, as the bishop bears the image of his humanity.[46]

Wyclif emphasizes that it is very necessary to expound regal power according to the truth of Scripture, so that it may be known more clearly in what manner the sacerdotal and kingly power ought to help each other in the harmony of the body of the Church.[47] However, in the same work, *De officio regis*, he also remarks that the secular arm is the left and the inferior one of our mother the *ecclesia*.[48]

In answer to the argument that ecclesiastics have a divinely bestowed power of excommunicating criminal Christians, and hence have temporal jurisdiction over princes and kings, Wyclif distinguishes on the word "temporal" and excludes it from ecclesiastics in the sense of civil judgments. He admits, moreover, that prelates can licitly excommunicate not only the servants of kings and emperors, but the kings themselves when they become

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[46] *De officio regis*, p. 13: "Oportet ergo deum habere in ecclesia duos vicarios, scilicet regem in temporalibus et sacerdotem in spiritualibus. Rex autem debet severe cohercere rebellem, sicut fecit deitas in veteri testamento. Sacerdos vero debet ministrare preceptum miti modo humilibus tempore legis gracie sicut fecit humanitas Cristi, qui simul fuit rex et sacerdos. Et hinc dicit Augustinus quod rex habet ymaginem dei sed episcopus ymaginem Cristi, propter ministerium indubie. Nec est fingendum ministerium huius differencie verborum nisi quod rex gerit ymaginem deitatis Cristi, sicut episcopus ymaginem sue humanitatis."

[47] *Ibid.*, p. 10: "Ideo videtur hodie necessarium secundum fidem scripture exponere regiam potestatem, ut vel sic noscatur clarius quomodo potestas sacerdotalis et potestas regia in armonia corporis ecclesie debeant se iuvare."

[48] *Ibid.*, p. 29: "Sicut demonstrari potest quod brachium seculare, quod est brachium inferius vel sinistrum matris ecclesie."

guilty of disobedience and after the official threefold warning has been given them.[49]

Finally, in treating of the argument of the two swords, which often played an important part in medieval discussions on those matters, Wyclif leans heavily on St. Bernard and Grosseteste in his reply. He first points out that the sense is mystical, and intimates that the *ecclesia* has both swords, as both Bernard and Grosseteste have explained. Secondly, he notes that the text does not say "we have two swords," but "here are two swords"; that Christ did not reply "it is enough for you," but "it is enough." The "swords" refer to the whole *ecclesia*; the spiritual arm is to exercise the spiritual sword and direct the material one, but not exercise it; for Christ said to Peter, "Put up thy sword into the scabbard." Wyclif then goes on to quote St. Bernard's own words at length.[50]

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[49] *De civili dominio*, III, xix, 390-91: "Vicesimo septimo sic arguitur: Ex iure divino habent prelati potestatem, quod possunt excommunicare christianos criminosos; hoc autem non possunt facere legitime nisi haberent temporalem iurisdiccionem super reges et principes seculi, cum ponendo servos et ministros ut iusticiarios, bellatores, et quodlibet alios criminosos extra communionem omnium fidelium facerent preiudicium dominis temporalibus sine culpa eorum quod non liceret nisi in temporalibus eis essent superiores; ergo prelati sunt eciam in temporalibus dominis secularibus superiores. Hic conceditur conclusio ut supra, sed pro minori notandum quod temporalis iurisdiccio potest intelligi quecunque iurisdiccio que tempore finiente includitur vel iurisdiccio civiliter coactiva. Primo modo habet omnis prelatus ecclesie citra Christum iurisdiccionem temporalem, cum ultra diem iudicii non erit talis exaccio. Secundo modo repugnat temporalis iurisdiccio sacerdoti; . . . Conceditur ergo quod prelati possunt licite excommunicare nedum imperatorum, regum et principum familias, sed ipsos dominos capitales supposito reatu inobediencie huiusmodi pena digno, sed tunc oportet precedere correpcionem triplicem legitimam vel esse equivalenciam."

[50] *Ibid.*, III, xix, 397: "Nec moveat quod Christus dicit duos gladios apostolis suis sufficere *Luc.* xxii; per hoc innuens ad sensum misticum quod ecclesia habet utrumque gladium, ut exponit beatus Bernhardus ad Eugenium libro IV et dominus Lincolniensis epistola xxiii. Notaremus autem textum integrum quomodo apostoli dixerunt *Ecce duo gladii hic*, non dixerunt; quod nos habemus duos gladios, nec Christus dixit: *satis est vobis*; sed similiter; *satis est.* Notaremus secundo quomodo ille pusillus grex figuravit totam ecclesiam militan-

From the foregoing texts it will be seen that Wyclif's theory was in general typically medieval as far as the construction of the *ecclesia* went. His emphasis on the Gelasian formula of two divinely ordained powers, one spiritual and the other temporal, was united to the medieval concept of a single *respublica christiana*. He wrote in opposition to those extreme papal adherents who wished to subject all secular power to the spiritual in one fashion or another; but in so doing Wyclif was far from being either alone or heretical in his position.

But there were other arguments to be answered, questions which touched or bordered on both temporal and spiritual realms. It is in Wyclif's treatment of these that some writers find clear indications of what they term his "Erastianism."

Wyclif bases his argument on the fact that the two powers are from the same source, Christ, and he maintains that it is the special care of the kings and emperors to watch over the status and morals of the clergy, because without these peace and tranquillity for the human kingdom will not be maintained.[51] Not only is the secular power to look after the morals of the clerics, but rebellious sons of the *ecclesia* are to be divided into two classes: the tractable who can be persuaded by exhortations and

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tem cum pauci tunc erant de ecclesia nisi illi. Et ex istis tercio convinceremus, quod gladius spiritualis et gladius materialis satis sunt totali ecclesie: per spiritualem partem spiritualis gladius exercendus, et materialis gladius dirigendus, nullomodo exercendus, cum Christus consequenter dicit Petro. *Mitte gladium tuum in vaginam* [John 18:11]."

[51] *Ibid.*, II, viii, 77: "Patet secundo quod imperatorum et dominorum temporalium est precipue sollicitari circa statum et mores clericorum, eo quod sine illis non stabit pax et tranquillitas humani imperii; sicut ergo corpus confert anime virtutum vehicula et organa operandi, sic domini seculares debent sacerdotibus Christi providere." Several writers have spoken of the Erastian tendency of Wyclif's writings; see, for example, Workman, *The Dawn of the Reformation*, I, 168 and his article "Wyclif" in the *Encyclopaedia of Religion and Ethics*, XII, 819; G. M. Trevelyan, *England in the Age of Wycliffe* (London, 1899), pp. 42, 98; and the article on Wyclif by F. Urquhart in the *Catholic Encyclopedia*, XV, 723.

the obstinate who are to be punished by the secular power.[52] Bishops are to be the king's instruments in punishing these offenses, and the king has power from God to reward them with temporals for this purpose. Moreover, it does not derogate from their office to carry out his commandments in punishing the enemies of God, the king, and the realm.[53]

But Wyclif usually has in mind a further development of this power of punishment. It should be extended to clerics as well. He cites the example of kings of the Old Testament who punished the priests, even the high priest; and he states that the kings of the New Testament are more gifted (*caritativiores*) and the priests more obedient to them; hence he concludes that the power of kings in the New Testament extends even to punishing pontiffs who are acting against the law of Christ.[54]

Again he points out that every member of the *ecclesia* should help every other member, and temporal lords ought to help spiritual prelates; but in a possible case the best help that the temporal lords have to offer might take the form of the removal

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[52] *De civili dominio*, II, xvii, 254: "Ideo cum omnis rebellis ecclesie sit tractabilis vel obstinatus, relicta correccione tractabilium peccatorum exhortacionibus sacerdotum obstinati sunt per brachium seculare active conversans rigide mancipandi. Quod si nolunt parere legibus tunc sunt legitime per pacis milites castigandi, et si fuerint legi obnoxii, tunc sive intra ecclesiam sive foris tunc sunt per milites belligeros revocandi. Ideo ubi sacerdotes ecclesie in obediencia rebellancium deficiunt, milites supplent vices."

[53] *De officio regis*, p. 120: "Castiganda ergo omnia peccata eque turbativa regni potest rex per suos subditos castigare. Sed in omni genere peccatorum contigit esse peccatum gravius tribus datis, et per consequens regni amplius turbativum. Ergo rex potest per suos ministros castigare quecumque genera peccatorum. In hoc enim potissime servirent episcopi regi suo, et habet rex auctoritatem a deo ad dandum temporalia suis episcopis gracia huius finis. Non igitur derogat honori episcopi ad mandatum sui regis punire inimicos dei, regis et regni, cum obedit sibi in ministeriis plus abiectis."

[54] *De civili dominio*, II, xii, 137: "Item, reges veteris testamenti habuerunt potestatem se extendentem ad castigacionem summi pontificis, ut patuit quinto capitulo. Sed reges novi testamenti debent esse caritativiores et sacerdotes eis obedienciores, ergo potestas regum novi testamenti sufficit ad castigandum eciam pontifices obvios legi Christi et cetera."

of possessions from certain prelates. Hence they should take even this drastic measure.[55]

A virtuous king, however, is to be honored by a double title, that of his office as well as of his virtue. This honor is of a different kind than that given to priests, who are also to be honored in this twofold manner. Even those priests who are foreknown to God as lost should be honored by their subjects; however, obedience to them should take the form of wise correction, sharp criticism, and strong resistance, which Wyclif says was the attitude of Christ toward the scribes and Pharisees.[56]

Nevertheless, the respect due to the spiritual power is more perfect (than that given to secular lords) because the spiritual order is the more removed from secular tumult and the superabundance of temporal goods. It must be admitted, however, that Wyclif is not always so clear as to which of the two "arms" is to receive the preference of honor. But he always proposes the mutual help of the two powers as the ideal; harmony, not

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[55] See the text cited in note 44 of this chapter.

[56] *De officio regis*, p. 21: "Et patet tercio quod sacerdotes racione dignitatis, etiam presciti, sunt a subditis honorandi. Sed difficultas est quomodo dispariter debemus honorare et subici tam sacerdoti quam dominio seculari, supposito quod uterque dignitate morali officii sui degeneret. Et videtur mihi quod obediendum est sacerdotibus huiusmodi eos prudenter corripiendo, aspere arguendo et fortiter resistendo. Sic enim obedivit Cristus sacerdotibus et phariseis, ut patet ex cursu evangelii. Seculari vero tyrannisanti debemus obedire rependendo sibi septem opera misericordie spiritualis et precipue iniurias proprias humiliter paciendo. Nam facere coacciones corporales est eorum officium."

Ibid., p. 41: "Nam si rex vere tenuerit nomen et virtuosum officium regis est honorandus dupliciter, tam secundum racionem ordinis quam virtutis, et tunc oportet eum alios secundum utramque racionem precellere. Et si nuda fuerit racio ordinis, tunc simul racione vicii est culpandus [et] in racione ordinis honorandus, honore tamen alterius specie quam est honor quem attribuimus sacerdoti, cum honores debent distingui secundum racionem repertam in honorato, ut secularis dominus est honorandus dupliciter si bene presit in officio seculari. Sacerdos autem est in suo racione honorandus dupliciter si bene presit in officio clericali. Ille autem raciones et honores eas consequentes sunt disparium specierum. Honor sacerdotalis perfeccior, quia a tumultu seculari et a racione superhabundancie honorum fortune remocior."

strife, should exist between them, with the secular lords giving to the clerical corporal alms for sustenance; the cleric giving in return his more valuable spiritual alms.[57]

Despite Wyclif's continual insistence on a policy of "medicinal" confiscation of ecclesiastical goods by the secular lords, he complains that his opponents draw his arguments further than he intends them. They have retorted that, on the same line of argumentation which he uses to prove the lay power of confiscation, one could also argue that by the absolute power of God the court jester had the right to deprive the emperor. Wyclif replies that it has been his opinion that the temporal lords have a power given by God, so that when the spiritual "arm" of the *ecclesia* has not been able to convert the antichrists by its preaching, correction, or example of virtues, then the secular power should step in to help by its coercion, especially in regard to "false clerics."[58] Although this method of stating his opinion is not very evident in some of the more violent passages, it should be considered when speaking of Wyclif's "Erastianism."

Lastly it must not be forgotten that Wyclif did not leave his opinions about the procedure for confiscation of goods merely on the plane of abstraction. In the sixth chapter of the second book of his *De civili dominio* he proposes some historical examples, by way of showing how his "fraternal correction" may

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[57] *Ibid.*, p. 206: "Nec foret iurgium, sed armonia politica, seculari domino dante clero corporalem elemosinam et ipso retribuente spiritualem elamosinam plus valentem."

[58] *Ibid.*, p. 186: "Ut hii arguunt per locum a simili quod scurra ribaldus vel lixa possunt aufferre a rege omnia temporalia regni sui, eo quod potest lixa ad hoc disponi et Cesar indisponi, et auctoritas potest adesse de dei potencia absoluta. Sed solacium est de sic obicientibus per locum a simili quod nullo modo possunt infringere istam sentenciam. Dixi autem alias quomodo domini temporales habent potenciam datam eis a deo ut ubi spirituale brachium ecclesie non sufficit convertere anticristos ewangelica predicacione, ecclesiastica correpcione, vel virtutum exemplacione, seculare brachium adiuvet matrem suam severa cohercione, et specialiter in pseudoclericis, quia illi perversi sunt magis calidi et periculosius ac profundius in malicia indurati."

be carried out in practice. He cites the example of William the Conqueror's visitation of the monasteries and the confiscation of monies found there. Obviously Wyclif's open approval and advocacy of such conduct would not be highly appreciated by those of his contemporaries at Oxford who were either members or friends of members of the religious orders which might be affected by a revival of such a procedure.

CONCLUSION

In summary it is to be noted that the medieval concept of one *ecclesia* in which there are two powers, the temporal and the spiritual, mutually helping each other in working out the salvation of the members of both, is the essence of Wyclif's political theory. And this concept of *ecclesia* is all the more necessary to his theory because he uses it as a basis for his argument in favor of the direct intervention of the lay power to remove possessions from those clerics who, in his opinion, are suffering from an overdose of this world's goods, as well as to remove ecclesiastical judges from civil courts. He argues from fraternal correction and the mutual aid that each part of the *ecclesia* should give to the other.

In evaluating Wyclif's use of the theory of dominion, one must remember that the doctrine was by no means original with him. R. L. Poole, to whom much credit is due for a more correct understanding of Wyclif, made clear by his edition of Fitzralph's *De pauperie salvatoris* the obvious dependence of Wyclif on Fitzralph.[59] As a matter of fact Wyclif himself refers his

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[59] The first four books of *De pauperie salvatoris* will be found in the edition of *De dominio divino* edited by R. L. Poole, cited above. In describing Wyclif's doctrines most writers have noted the importance of his theory of *dominium*, but with varying interpretations. Charles Bigg, *Wayside Sketches in Ecclesiastical History* (London, 1906), decides that Wyclif applied the theory in a "one-sided and passionate way" and that "it was not his own theory, [but] he adopted it bodily from Fitz-Ralph" (p. 123). See also the comments of

readers to Fitzralph's book for his brilliant and thorough treatment (*qui istam materiam egregie pertractavit*).[60] But this is not the end of the line of dependence.

About 1326 William of Cremona had published the treatise *Refutatio errorum*, written against Marsilius of Padua, in which he too, as an Augustinian writer, treated of the connection between lordship and grace. He argues that no man may justly and lawfully possess any temporal good unless he willingly submits to God's lordship. Therefore infidels and sinners possess temporal things unjustly and unworthily according to God's law, whatever may be true according to human law. Thus, he points out, is verified the saying of Augustine that all things belong to the just man. However, a man is not subject to God unless he be subject to ecclesiastical power; and he is not subject to God either if he does not use things temporal in a right and just manner and in relation to the end to which they are directed by ecclesiastical power.[61]

Furthermore, some twenty-five years before William of Cremona published his treatise, Giles of Rome had written *De ecclesiastica potestate*, which was considered at length in the second chapter of this essay.[62] Giles wrote his book in the midst of the

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Bede Jarrett, *Social Theories of the Middle Ages* (Boston, 1926), pp. 10, 190 and those of S. B. Chrimes in an article on Fortescue's theory of dominion in the *Transactions of the Royal Historical Society*, XVII (1934), 117-48.

[60] *De dominio divino*, II, 12: "Unde videtur domino Ardmacano, qui istam materiam egregie pertractavit, quod Deus habet dominium propter creacionem, possessionem propter conservacionem, et usum propter gubernacionem." See also *De civili dominio*, I, ix, 65 and note 27 of this chapter.

[61] See Gwynn, *Austin Friars*, p. 65. This is a most important work for the understanding of and general backgrounds to the theory of *dominium*.

[62] As an Austin writer and theologian, William of Cremona (who was elected prior of the order at the general chapter held in Florence in 1326) would know the works of Giles very well and be influenced by them. William was still living at the time when Pierre Roger was elected pope and took the name of Clement VI. Pierre Roger, incidentally, had been commissioned by Benedict XII to examine the treatise *Defensor pacis* of Marsilius and was not long in discovering its inconsistency with orthodoxy.

bitter fight between Boniface VIII and Philip the Fair, and the radical position which he took in that work has scarcely been surpassed by any of the extreme curialists. For example, he declares that all lordship, whether of things or persons, whether it be the use or the power, cannot exist except subject to and through the Church.[63] Again in the eleventh chapter he expressly says that "all infidels are unworthy of possession and dominion and of any power whatsoever."[64] In fact, no one is worthy to succeed to his paternal inheritance, or any other possession, principate, or dominion, unless he be the servant and son of the Church and unless he be worthy of eternal inheritance through the Church. "Because all your inheritance is given you by God so that you may serve him, it is right that if you have turned yourself away from God, that you be deprived of all your inheritance."[65] The startling similarity to, and basic agreement with, Wyclif's main principles in the *De civili dominio* can be readily perceived.

Giles maintained that only the just can have dominion and that only those in a state of grace within the Church are just. In his theory two things were necessary: the person must be in the state of grace and he must be united with the Church. Giles seemed to consider only the fall from the state of grace through a sin against the faith, which would also mean defection from the Church. Those who developed the theory, however, split into two groups: one tending to hold that the Church alone had a

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[63] *De ecclesiastica potestate*, Lib. II, 7; Scholz ed., p. 70: "Quod omne dominium cum iusticia, sive sit rerum, sive personarum, sive sit utile sive potestativum, nonnisi sub ecclesia et per ecclesiam esse potest."

[64] *Ibid.*, II, 11; p. 96: "Quod infideles omni possessione et dominio et potestate qualibet sunt indigni."

[65] *Ibid.*, II, 8; p. 80: "Bene itaque dictum est, quod in rubrica capituli dicebatur, 'quod nullus est dignus hereditate paterna nec quacumque alia possessione et quocumque alio principatu vel dominio, nisi sit servus et filius ecclesie, et nisi per ecclesiam fiat dignus hereditate eterna.'

"Et quia tota hereditas tua data est tibi ut servias Deo, dignum est, quod si es aversus a domino Deo tuo, quod priveris omni hereditate tua."

right to dominion, while the other tended to give it to an invisible body of just persons.[66]

In addition, the bitter disputes about the ideal of poverty not only caused serious difficulties within the Franciscans as a group, but soon became a widely argued topic affecting all the friars. After the decisions of John XXII several propositions were no longer debatable, at least for orthodox theologians. Out of all these disputes came the theory, held by some theologians, that the possession of material wealth was sinful. If this were so, then many churchmen were among the greatest sinners, and according to the theory of dominion and grace, they were incapable of holding lordship. Thus the same types of arguments were used by two very different sets of thinkers and led to two very different types of conclusions. For one group the Church was the only society which held complete title to all things; it was the only holy society. The other group claimed that the official Church had sinned through possession and avarice and thus deserved to lose her material possessions.

As a result Wyclif in many of his statements had the precedent of reputable theologians, though in his rigorous application to this or that area of the disputes he might stand alone. Before he turned on the friars, and while he was attacking the monastic possessioners, he was allied with some of the friars. But when he advocated their removal as well he obviously lost his allies. It does not seem to have been until he strenuously advocated his opinions with regard to the Eucharist that it became manifest that he was no longer an orthodox theologian.

The connecting link in the intellectual chain of influence and dependence with regard to Wyclif is Richard Fitzralph, who was a frequent preacher at the court of Clement VI. The views of *De pauperie salvatoris* are quite in line with the traditional doc-

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[66] See Dom David Knowles, *The Religious Orders in England* (Cambridge, 1948-1959), II, 61 ff.

trine about the relationship between lordship and grace in the writers noted. Wyclif, as we have seen, drew heavily from the writings of Fitzralph in regard to these matters. Moreover, up to the last years of his life it seems that he was always on close and friendly terms with the Austin friars. It is easy to see how logical and reasonable is his use of the theory, developed and taught by those followers of St. Augustine to whom he himself always professed allegiance.[67]

But though Wyclif, and to some extent Fitzralph, argued from principles similar to those of Giles of Rome, they reached very different conclusions. Giles had used the theory of dominion and his connection of it with grace to prove that the spiritual power was superior to the temporal, so superior that it almost absorbed the temporal. Wyclif used the same line of argumentation to prove that the sinner had no real dominion and to advocate the confiscation of temporalities "abused" by clerics, on the ground that such civil dominion, partaking of sin, was unbefitting those whose law should be that of the gospel.[68]

There is another problem with reference to the theory of dominion which is of interest to the historian of English politics in the fourteenth century. It is Wyclif's alliance with John of Gaunt. To the biographers of Wyclif it has offered a field for much speculation. The results of modern research, here as elsewhere in the matters concerning Wyclif, have been to reduce this alliance both in extent and duration. But that there was some sort of alliance seems to be generally admitted. The problem is to find what was the basis of agreement between two men who appear to us to have had little in common.

Anthony Steel finds the explanation in an agreement between the two on the theory of dominion and grace: "the foundations of the alliance between the very worldly Gaunt and his friends

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[67] This is a summary of Gwynn's excellent treatment in *Austin Friars*, pp. 59-73.
[68] *Ibid.*, p. 68.

and the unworldly Wyclif undoubtedly lay in the latter's theories of civil and divine dominion, for which he was already famous at Oxford." He writes that "according to these theories all bishops such as Wykeham and Brantingham were simply Caesarian clergy who had left the way of Christ." And the fact that Wyclif's theories, if put into practice, would have brought the clerical civil service to an end, is for him a factor which "Gaunt and the curialists would have welcomed."[69]

H. B. Workman is also at pains to find some basis for the alliance. He is convinced that "the one link between the two was hostility to the power and wealth of the hierarchy."[70] How much John of Gaunt either understood or appreciated Wyclif's theories is surely questionable. In the opinion of Armitage-Smith, Wyclif's metaphysical arguments would have sounded like "the ravings of a madman" in Gaunt's ears.[71]

The second hypothesis, basing the agreement in a common feeling of hostility to the wealth and power of the hierarchy, offers what seems at first sight to be a plausible explanation. Wyclif was surely opposed to the ecclesiastic who was immersed in secular matters. The difficulty of the explanation is from the other party. John of Gaunt does not seem to have been opposed to the wealth and power of the hierarchy, but rather to a few definite clerics. He himself appointed clerics to wealthy and powerful offices; for example, Ralph Erghum continued as chancellor after Gaunt had obtained the See of Salisbury for him in 1375; again, Adam Hought, Bishop of St. David's, was given the position of chancellor shortly before the Parliament which was supposed to be "packed" by Gaunt's followers.[72]

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[69] A. B. Steel, *Richard II* (Cambridge University Press, 1941), p. 22.

[70] Workman, *John Wyclif*, I, 275.

[71] S. Armitage-Smith, *John of Gaunt* (Westminster, 1904), p. 179.

[72] E. Healy, *John of Gaunt and English Politics, 1370-1381* (Unpublished master's thesis, University of Toronto, 1949). See also Dahmus, *Prosecution of Wyclyf*, p. 13 and the references cited there.

It would seem that these two hypotheses are not very convincing in the light of the few historical facts in our possession. It remains to be seen whether the concept of the royal dignity and office, as Wyclif wrote about it, might offer some common ground of alliance between these two men whose characters and outlook appear to be so radically different.

Finally, the perusal of Wyclif's views on civil society makes one wonder what his opinions might have been about the bureaucratic state, the rise and development of which play so important a part in the constitutional history of fourteenth-century England. "The development of what we may, for convenience, call this bureaucracy," a noted English historian states, "was what really transformed the constitution of the later medieval state, giving a new expression to the ancient tradition, and ultimately necessitating its adaptation into the conception of the popular sovereignty in the modern democratic state."[73] During all these years there were "tendencies towards specialization, localisation, disintegration, towards the accretion of new administrative and judicial functions, the addition of executive to advisory powers."[74]

What was Wyclif's reaction to this development? We are restricted, it seems, to speculation. Although Wyclif has not given us any definite answer in this matter, there are certainly strong indications, as the citations already given in this chapter indicate. Wyclif was a man for whom, according to his own writings, the ideal was the state of innocence. The laws in a kingdom were to be few and just. Civil laws and the increase of human traditions were a sure sign of decadence, as was proved, in his opinion, in the case of the Israelites. Believing in

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[73] Wilkinson, *Studies in the Constitutional History of the Thirteenth and Fourteenth Centuries* (Manchester University Press), p. 270.

[74] *Ibid.*, p. 269.

such principles, Wyclif could hardly have regarded bureaucratic diversification with favor.[75]

Moreover, John Wyclif was above all a theologian. There was, generally speaking, not much love lost between the professional theologians as a group and the lawyers, civil or canon. Wyclif apparently heartily despised the Roman civil law; and his constant emphasis on the law of the gospel as all important, his persistent ranking of the professional theologian above both lawyer and politician, lead one to suspect that his attitude toward a bureaucracy of any law, ecclesiastical or civil, would be rather hostile.

From the whole trend of Wyclif's thought, from the principles on which he erects his political theory, it does not seem probable that the transition from personal monarchy to a king ruling through a well-developed bureaucracy would have found a friend in John Wyclif.

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[75] See also the quotation from *De civili dominio*, I, xxvii, 193 in note 2 of Chapter IV of this essay and the quotations from *De officio regis*, p. 56 in notes 32 and 33 of the same Chapter IV.

CHAPTER IV

The Monarchical Form of Government

Wyclif seldom forgets that government as we now have it is not the best possible kind. If someone were to ask him about the best form of government, he would reply that it would be best if men were to observe the state of innocence in all its completeness and put away all exaction. For this is the way God originally intended the government of humanity, and thus it will be restored after the day of judgment.[1]

With his eye still on an ideal state of things, Wyclif asks whether it would be better for men to live under judges purely according to the law of God or under kings according to the civil rule. The first type he calls aristocracy or natural polity; the second, a monarchical or regal one. For him aristocracy is undoubtedly to be preferred since it is much closer to the state of innocence, where there would be no civil dominion. Therefore it is more perfect and more desirable. Hence the best polity would be the one in which the people would be ruled simply according to the law of God by means of judges. For in the state

[1] *De officio regis*, p. 261: "Et si queratur quid foret optimum, dico quod optimum regimen humani generis foret quod servaret ex integro statum innocencie cum exaccione deposita. Sic enim deus instituit regimen humani generis et perficietur post diem iudicii."

of innocence there would have been only the natural laws, with no exactions or civil dominion, since these were all called for because of the imperfection in the civil, monarchical polity. Moreover, the judges more often lived a contemplative life and were less inclined to abuse their riches and power. Then too, the law of God would be much better than human laws, especially because the latter are the seeds of quarrels and litigations.[2]

In addition, the reign of judges under the evangelical law would be better than that of the kings under civil law, for kingship is more prone to tyranny, while the judges are more inclined to the evangelical law.[3] It is in this way that Wyclif understands Aristotle's remark that an aristocracy would be better, since the care of many who rule by virtue would be better than that of one in the case where all are of equal virtue. But if

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[2] *De civili dominio*, I, xxvi, 185: "Consequenter restat videre utrum expedicius sit communitatem regi tantum secundum legem Domini a iudicibus, quam secundum legem civilem regibus vel econtra; prima enim policia vocatur aristocratica vel naturalis, et secunda vocatur monarchica vel regalis . . ."

Ibid., I, xxvii, 193: "Item de quanto status capitis lex que est mistici corporis et partes eiusdem communitatis, sunt disposita ut Deo plus placeant, est policia Deo accepcior et per consequens simpliciter melior; sed sic aristocratica iudicibus regulata respectu regalie, ergo ipsa est regalia prestancior."

Ibid., I, xxvii, 192: "In statu quidem innocencie forent pure leges naturales, nulle exacciones vel civile dominium, que omnia racione inperfectionis in policia civili monarchica exiguntur."

Ibid., I, xxvii, 193: "Primo ex hoc quod vita contemplativa, quam, ut plurimum, vivunt iudices, est vita activa praestancior . . . vitam activam vivunt communius domini temporales; secundo, reges gencium sunt proniores ad abutendum diviciis, ad libidinosius dominandum, quam iudices, et ad sibi usurpandum honorem Domini capitalis. . . . Et hinc leges humane communiter illaqueant subditos et peyorant, ex hoc specialiter quod ipse sunt seminarium litigandi, et per consequens unius de populo suo proximo dolose iniuriandi, et terminos ditacionis presidum proporcionales ad bonum publicum excidendi; quorum omnia opposita faciunt lege Dei: ergo videtur quoad legem, quoad regem, et quantum ad subditos, quod policia iudicialis sit prestancior quam regalis."

[3] *Ibid.*, I, xxviii, 205: "Et patet quod melius esset ecclesiam pure per iudicem quam per civiles dominos regulari, quia officium regis pronius est ad tyrannidem et officium iudicum pronius ad ewangelicum regimen."

there be a case where one is possessed of virtue exceeding that of others, then a regal regime is better, as is the case with God in relation to the world, or of Christ in the Church Militant. Therefore it would have been better *per se* had many men ruled, realizing that they were administrators for the service of the people according to the law of this king. However, *per accidens*, on account of the sin of the people, a human civil dominion involving coaction is more expedient.[4]

Granting that in either a kingly or judicial government the merit would be equal, then reasons can be offered for the rule of a king. First of all, civil rule is necessary; but unless there should be someone to enforce it, it would be useless. Hence a king is necessary to enforce the law, now that sin has entered into the situation. Moreover, the history of the chosen people shows us that God approved kings. Likewise, civil polity consists in a certain order and subordination. Now in such an order there must be someone at the head, for if all were equal, there would not be any order in the execution of political acts. Hence a king is necessary.

Besides, all human art imitates nature and in nature, where there are composites of different parts, there is a principle to order them, such as the form in things composed of matter and form. In polity the people are the matter and the king is, as it were, the form or life-giving principle for their political life. Finally, Wyclif notes that the civil law must be enforced against criminals and the kings are necessary to execute these laws

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[4] *Ibid.*, I, xxviii, 205: "Et ista videtur mihi sentencia Aristotelis tercio Politicorum, capitulo xvi (*Politics*, III, 15), ubi vult non expedire unum regnare super plurimos pariter virtuosos, sed aristocracia foret prestancior, cum cura multorum virtuose regencium magis proficeret. Sed, posito uno excessive virtuoso, policia regalis foret expediens: sic autem est de Deo quoad mundum, et de Christo quoad ecclesiam militantem; sic quod regalia Dei est optima, dum tamen homines regulantes se senserint ministros prepositos ad serviendum populo secundum regulas huius Regis; licet per accidens, occasione peccati populi, dominium humanum civiliter coactivum sit multum expediens."

against refractory citizens.[5] Wyclif then spends several paragraphs in developing this argument of coaction, which as has been noted forms an important element in his conception of regal power.

THE TYPE OF MONARCHY

In his treatment of the type of monarchy Wyclif devotes much space to the consideration of arguments for and against both elective and hereditary kingship. For proofs of the hereditary succession he points out that by the law of God it was so arranged in the Old Testament; for example, in the division of the promised land and the priesthood. Since God is the wisest lawgiver, hereditary succession would seem to be the best. Besides, the present situation ought to imitate as best it can what

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[5] *Ibid.*, I, xxvi, 185: "Et questio supponitur monarchiam vel regaliam esse licitam ac meritoriam. Fundatur illud tripliciter: primo ex hoc quod lex civilis est necessaria (supposito peccato) ad regimen ecclesie, sed illa foret inutilis sine persona principaliter exequente, ergo talis persona est necessaria in ecclesia militante; et illa, ut huiusmodi, est rex; ergo regalia est necessaria. Confirmatur ex hoc quod David, Ezechias, Yosias, et ceteri reges Veteris Testamenti fuerunt eleccione et approbacione Domini in illo officio ministri Dei precipui ut patet ex processu libri Regum et Paralipomenon. . . . Item cuiuscunque ordinis est dare gradus, et per consequens infimum et supremum; sed policia civilis stat in quodam ordine, ergo illius est dare gradum summum: sed quamcunque personam in illo gradu positam in populo supponamus ipsam, ergo de racione naturali (supposita civilitate) sequitur regem esse. Si enim multi fuerint in populo dominantes, sed illis concurrentibus pro regimine reipublice, necesse est esse aliquem principalem; quia aliter non foret ordo in execucione actus politici, si omnes forent simpliciter equeparium potestatem. . . . Patet ex hoc quod omnis humana ordinacio procedit exemplariter a natura quia ars imitatur naturam in talibus; sed omne totum naturale, ex partibus diversarum naturarum compositum, habet aliquem principalem; ergo sic debet esse in lege politica exemplata. Nam omne corpus habet formam que est perfeccior quam eius materia omne eciam etrogenum habet partem quantitativam principalem, a qua alie regulantur (ut patet de corde in corpore animalis); oportet ergo in plebe (que est quasi materia) et populo (qui est congeries ethromogenia) esse aliquod formale et vitale a quo alia regulantur. Sic enim in maiori mundo inferiora supra celestibus regulantur. Item necesse est exercere civiliter contra rebelles vim coactivam, que non potest esse sine regibus executa, ergo necessarium est in policia regis officium."

would have been in the state of innocence; but there, with full and perfect dominion, parents would have left their property as inheritance to their sons; and as we see that lords have a natural desire to provide for their sons, this too indicates that nature prefers this to an elective method. Moreover, sons can receive goods of nature and grace through their parents, therefore also the lesser goods of fortune. Wealthy men can give their goods even to strangers in perpetual succession, so they can surely do so for their natural sons. Then too the desire to procure goods for the territory they are ruling would vanish, if fathers were not sure of succession of their family! His final argument in favor of the hereditary succession is typical of Wyclif the theologian: As sons can contract original sin through their parents and since God is more inclined to give than to punish, therefore sons can receive their titles to less valuable goods through their parents.[6]

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[6] *Ibid.*, I, xxix, 206: "Sed dubium videtur aput politicos utrum expedicius sit civile dominium iure hereditario vel eleccione succedere; et videtur quod iure hereditario, cum ex lege Dei ordinata sit policia inter filios Israel de successione hereditaria; cum ergo illa policia sit optima, quia eius legifer est summe sapiens, videtur quod conveniencius et legi Dei conformius sit dominia succedere illo iure. Unde de divisione terre promissionis secundum ius successionis hereditarie. . . . Sed et sacerdotium successione hereditarie debuit procedere. . . . Item omnis iustus post lapsum habet eque plene vel plenius restitutum dominium, sicut in statu innocencie habuisset tam plenum dominium quod potuit et debuit illud in posteros dominasse; ergo post lapsum dominius temporalis restitutus ad graciam habet eque plenum dominium; et cum titulus naturalis sit prestancior titulo humanitus adinvento, sequitur quod ius hereditarium sit iure eleccionis prestancius. Confirmatur: Omnis terrenus dominus temporalis habet naturalem inclinacionem ad providendum necessario suo filio naturali; sed naturale desiderium non est frustra, ymmo eius complecio est arte humana prestancior; ergo successio hereditaria est de iure naturali melior quam eleccio humanitus adinventa. Argumentum est universale experimentale satis notum . . . Divites possunt tribuere alienis bona fortune successione perpetua, ergo multo magis vel perinde filiis naturalibus. . . . Quod aliter periret animositas dominantis ad procurandum bona dominio quod occupat, si non crederet genus suum succedere in eodem. Tercio confirmatur ex hoc quod filii contrahunt peccatum originale a parentibus, et Deus est pronior ad premiandum quam ad puniendum; ergo multo magis possunt habere de parentibus titulum ad bona minima."

On the other hand, there are arguments which seem to prove just the contrary; namely, that it would be better to regulate the succession of the kingdom by means of an election. For sometimes the firstborn sons of magnates are not suited to succeed, since they lack the necessary moral and natural talents; and it cannot be thought that God would approve such a succession, for no one holds dominion unless he hold it from God. Also it happens that kings have mentally defective sons, and this would expose the political principles to chance, which should not be. Therefore human skill should mend matters and it would be better to have a succession by human election. Moreover, the Romans used this method.[7]

Indeed the very certitude of hereditary succession disposes to tyranny, while the bridle of possible deposition would be a restraint. And since a polity which includes a possible remedy is better than one without such a remedy; so a polity regulated according to a prudent law would be better than one based only on hereditary succession.[8] Then too, in the matter of election the electing body is apt to be without charity, or at least the major-

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[7] *Ibid.*, I, xxix, 208: "In oppositum sic: Multi primogeniti succedunt parentibus indispositi dominari; sed nemo potest habere dominium nisi principaliter a Deo habuerit; ergo non ex hoc quod quis succedit primogenitus parentis taliter dominantis, sequitur eum a Deo dominari. . . . Item casuale est filios regum nasci orbatos, monstruosos vel aliter in naturalibus defectivos, ut patet ex secundo Phisicorum et experiencia communi; sed bonum nature consequitur, ut plurimum bonum moris; ergo casuale est filios succedere virtutibus habiles ad regnandum; sed nullum principium policie exponi debet casui vel fortune, cum ars humana rectificat positos; ergo conveniencius esset secundum elecciones humanas regalias succedere. Confirmatur ex hoc quod monarchia Romanorum et ducatus optime regulati ex eleccione procedunt, et ex isto videtur quod eleccio sit sorte prestancior."

[8] *Ibid.*, I, xxix, 208: "Item certitudo regis regnandi pro se et suis heredibus est ut plurimum occasio tyrannizandi, ubi frenum foret regis deposicio post delictum; sed illa policia que includit remedium contra culpam possibilem est melior quam policia que nullum remedium contra peccatum verisimile sic includit; ergo melior foret policia secundum legem regem prudentem instituere quam solum hereditarie."

ity of them may be, and this would vitiate the election. Even in the case where, for the time of the election, the electoral body possesses charity, either as a result of their penance (*penam?*) for their own sins or their sins as a people, the one chosen by the electoral body may himself cause the election to be an unrighteous one.[9]

The method of hereditary succession is, however, open to question when one considers the ruler; for although some people say that a hereditary prince would rule better in order to preserve a good state for his sons to succeed to, still very often quite the opposite occurs. There are those lords, proud and desirous of power, who fight against the evangelical law for the sake of preserving a vain name. Wyclif here once more points out that the root of all evil is cupidity, which is accentuated by the desire for domination.[10]

Some also claim that by the elective method a man would be elevated who would be unaccustomed to high honors; and that such a man would be more disposed to tyrannize than a prince educated to his state in life and morals, for he would not be swept off his feet by new honors. But more often the opposite

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[9] *Ibid.*, I, xxix, 209: "Sed notum est quod satis possibile; ymmo in maiori parte post lapsum evenit quod communitas eligens est, secundum totum vel secundum maiorem partem, crimine viciata, et per consequens contingit ipsam in eleccione deficere, sicut in aliis operibus eque concernentibus Deum atque rem publicam; ymmo, si aut raro evenientibus tota communitas eligens observet pro isto tempore caritatem, et hoc est possibile in penam peccati populi vel proprii peccati preteriti, quod eleccio sit iniusta quoad personam electam."

[10] *Ibid.*, I, xxix, 210: "Ex parte principis, cum affectat naturaliter bonum prolis, custodiret, gubernaret et ampliaret rem publicam magis solicite, si sciret hereditatem suam ad natos suos succedere; non sit autem si ex pura eleccione procederet genus regum. Sed revera contingit in pluribus oppositum evenire; quis, rogo, auxit plus rempublicam quam Augustus, et quis communius tyrannisavit quam mundo prepositus, superbus, avarus, et cupiens contra legem ewangelicam mundi divicias propter continuacionem inanis nominis in posteris relinquendam. . . . Ex quibus verbis patet inutilis solicitudo dominorum, que ut plurimum contra legem ewangelicam perturbat rem publicam, cum radix omnium malorum sit cupiditas que occasione huius est accensa."

seems to happen. Indeed, a poor person elevated to a high state remembers that his title is by grace. This is shown in the case of David, a poor boy chosen king, and his son Solomon, who succeeded him by the ordinary method, but who unfortunately became degenerate.[11]

Considered from the viewpoint of the people, it seems they would love the son of a monarch and obey him more easily than someone chosen by election. There are quarrels as to elections; yet sometimes people who hate the father as a monarch will also tend to hate the son as a member of the same family. It is a difficult question to decide. For it is hard to say whether worse evils arise than those of people who, on the death of princes, desire to come into power.[12]

Both ways of selecting kings have elements of good about them, for God cannot be thought to let the method of election be

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[11] *Ibid.*, I, xxix, 210: "Ex parte filii coloratur racio sub hac forma: Communiter exaltatus a statu abiecto ad statum principis, propter insolitas divicias et honores, tyrannice mutat mores, ubi filius regis propter honestam educacionem in vita et moribus, et conversacionem in statu prope consimili, non inflatur. Sed revera oppositum in maiori parte posset contingere, scilicet, quod exaltatus ex titulo pure gracie ad talem gradum eximium exhinc senciat humiliter de se ipso, contingitque filium pauperis tam in naturalibus quam in moralibus excellere natum regis. Exemplum patet de David. . . . Filii autem eius, Salomon, et Roboam . . . degeneraverunt."

[12] *Ibid.*, I, xxix, 211: "Tercio ex parte populi coloratur opinio: nam populus ex suecione que est natura altera, quodam innato amore obedit filio principis post parentem; ubi regnante persona de abiecta prosapia, populus dedignatur obediencias, servicia, et honores regios sibi impendere: et circa elecciones talium contingerent lites plurime, que per lineam consanguineitatis regie sunt extincte; ymmo confederacio cognacionis principum est regnis communiter ad tutelam. Sed revera et illud et eius oppositum potest contingere, et quod eorum verisimilius non est humani iudicii perfecte discutere. Nam si rex iure dominanter regnare voluerit (quod convenit facilime), populus occasione patris odiet filium vel timebit serviliter. . . . Et quantum ad dissensiones ex eleccionibus regum, non est facile discutere utrum plura mala exinde consurgerent quam conspiracionibus in mortem principum per eos qui indebite aspirant ut post illos extinctos regnent civiliter; sed scrutetur homo cronicas tam Scripture sacre quam gentilium et habebit pociorem evidenciam quod ignorancia regnature persone plus sapiet homicidium magnatorum."

deficient unless sin enters into it. But all parts that should be consulted in an election are sometimes not consulted; as a result not a few quarrels have arisen in the *ecclesia*. On the other hand, the hereditary method is better in itself; for it is closer to the state of innocence.[13]

It has been said that Wyclif did not make a definite decision as to whether an election or hereditary succession was the better.[14] However, he has given some indication of which one he prefers by his method of introducing the question.[15] Again, in the last sentence quoted in note 13 he affirms that hereditary succession is *melius simpliciter*. To confirm this he notes that, if the assisting grace is equal in a given case, then the title which comes through heredity is more perfect and valid than one which comes through election.[16]

But all these discussions only turn about what happens to be accidentally necessary for determining the title. The essential thing is the possession of charity. Once again Wyclif uses Aristotle's *Politics*. He argues that, as Aristotle has declared, the principal cause of a king's ruling civilly is his surpassing virtue and that this is what suffices in itself for ruling evangelically, and with the approbation of the people for ruling civilly. By

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[13] *Ibid.*, I, xxix, 212: "Habet ergo prima via illud infallibilis veritatis, quod non est possibile communitatem in eleccione deficere, nisi peccatum pertinens sit in causa; Deus enim non potest deficere ab instinctu regitivo populi secundum sibi utilius, cum hoc quod populus utrobique Deo faciat quidquid debet: et ideo ex privatis eleccionibus cupiditate infectis, non vocata vel consulta parte que debuit interesse, pululant in ecclesia multa mala. Secunda vero posicio sapit aliam veritatem, scilicet, quod esset simpliciter melius et statu innocencie conformius, si disposicio aliunde sic suppeteret quod dominium regni hereditario iure succederet."

[14] Carlyle, *A History of Mediaeval Political Theory in the West*, VI, 52.

[15] See note 6 of this chapter.

[16] *De civili dominio*, I, xxx, 214: "Et si queritur utrum assistente gracia sit validior sive perfeccior titulus hereditarius quam ex eleccione humana, videtur quod assistente pari gracia titulus hereditatis, ut patet ex primis duabus racionibus, est pocior."

itself, neither hereditary right nor election is sufficient unless the chief title of charity is added to it.[17]

In an earlier passage Wyclif notes that sons who succeed parents whose sin has deprived them of true title will acquire true civil dominion if they succeed in grace or charity. He offers this as a solution to the question of the succession of kings in England; for example, to explain how a saint could succeed a tyrant and in particular how Edward the Confessor justly occupied the throne with a title credited to grace.[18]

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[17] *Ibid.*, I, xxx, 212: "Sed cum omne per accidens reducibile sit ad aliquod per se, accidentaliter evenit nunc uno titulo, nunc alio, principari, videndum est que sit per se racio principandi. Et patet ex sentencia Aristotelis, tercio Politicorum, capitulo xxviii (III, 17) recitata, quod virtus superexcellens in rege est praecipua causa regnandi civiliter. Ipsa enim per se sufficit ad regnandum ewangelice, et est sufficiens cum approbacione populi ad regnandum civiliter: unde, sicut titulus acquirendi non per se sufficit . . . sed oportet precipue superaddere titulum caritatis, sic indubie nec successio hereditaria nec popularis eleccio per se sufficit."

[18] *Ibid.*, I, xxi, 153: "Ex quo plane patet quod titulus successionis hereditarie non sufficit ad fundandum verum dominium, sed per se titulus caritatis; et quomodocunque parentes iniuste in casu dominant, dum tamen filii succedentes sunt in caritate vel gracia, recipiunt a Domino eciam verum civile dominium, et si putes iustissime dominentur: dum tamen filii, quoad homines jure hereditario succedentes desint a gracia tyrannisando, perdunt verum dominium. . . . Patet totum ex hoc quod civile dominium et intrusio consequuntur graciam et peccatum; hec ergo maxima de successione hereditaria pacificat dominos quoad mundum. Et patet plane solucio de successione regum Anglie, quomodo contingit sanctum post tyrannum succedere, non in jure suo, quod non remansisset in posteros, sed novo jure acquisito a Domino capitali."

Ibid., I, xxi, 155: "Unde contingit hominem ex titulo gracie sive civilitate occupare et magnum regnum, sicut creditur sanctum Edwardum Confessorem fecisse, de regno Anglie, quod juste a Britonibus detinebat."

H. B. Workman has stressed the point that Wyclif's political writings should not be considered practical programs, but should be read like Plato's *Republic* or More's *Utopia* (*John Wyclif*, I, 259); and he notes a distinction which Wyclif added to this theory of dominion and grace in which he says that a man living in sin may still have dominion because he is predestinate (*Ibid.*, I, 261, n. 3). Workman apparently feels that this distinction takes all practical value from Wyclif's theory. See J. Wyclif, *Opera minora*, edited by J. Loserth (London, 1913), p. 239.

It would seem then that this whole discussion on the hereditary and elective types of monarchy actually moves on the periphery of Wyclif's thought. What is central and important to him, even in such a discussion, is his theory of dominion and its essential connection with grace.

THE DUTIES OF A KING

In a passage in the *De civili dominio* Wyclif compares the kingdom of Christ with that of earthly kings and by so doing gives us another view of his ideas of earthly government. Christ's kingdom differs in three characteristics especially. His kingdom is always increasing and is eternal, while that of the great earthly kingdoms (to which he is comparing it) gradually weaken and have an end before the day of judgment. Secondly, the kingdom of Christ is principally concerned with goods of grace, but only regarding the persons predestined who are living on earth, while the earthly kingdoms have to do with goods of fortune in persons and even the foreknown (as lost) only on earth. Thirdly, the kingdom of Christ is communicable to many simultaneously and in equal measure, while that of earthly kingdoms cannot be thus communicated.[19]

In quoting from what he believed to be a work of Aristotle, the *De secretis secretorum*, Wyclif points out that according to his office the king is given the rulership of his subjects with regard to natural goods, whether of morals or fortune, by God. He ought first to defend the blood of his subjects, then their

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[19] *De civili dominio*, III, v, 70: "Ipsum autem regnum differt ab aliis quinque specialiter in hiis tribus; primo in hoc quod ipsum cum sit naturale est eternum continue fortificando accrescens, alia autem debilitata continue habent finem ante diem iudicii; secundo in hoc quod regnum Christi est principaliter de diviciis gracie solum in personis predestinatis in terra vivencium; regnum vero mundi est principaliter de bonis fortune in personis et prescitis solum in terra sublunari; tercio in hoc quod regnum Christi est instar bonorum communium communicabile quotlibet personis simul et ex equo; regnum autem terrenum non patitur communicacionem huiusmodi."

riches (especially their virtues), and finally their possessions from internal and external enemies, by restoring to the injured what belongs to them and by removing it from those who are unjustly occupying it.[20]

The duty of the king is not only to guard the movable goods of his kingdom; in fact this duty in the *ecclesia* is a rather humble one for his office. But since the ministry of God peculiar to a king is in proportion with the eminent virtue corresponding to his station, it is clear that it is of the character of the kingly office to rule the men of his kingdom according to the divine law. Since the parts of justice are to withdraw from evil and to do good, so the king is to coerce those who are in rebellion against the divine laws and their cooperators and to help those who are the workers of justice according to the rules of charity. For princes alone are to punish those who do injustice and to reward those who are doing good, and obedience on the part of the subjects is necessary for this.[21] The Christian man should not fear the governing power. For if he is a just man, the rightly used

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[20] *De officio regis*, p. 78: "Ideo secunda veritas catholica in verbis est Aristotelis, quod Deus comisit regi pro suo officio subditorum regimina in bonis naturalibus vel moralibus et fortune. Pro primo dicit Aristoteles quod rex debet defendere sanguinem suorum subditorum, pro secundo dicit quod rex debet defendere eorum divicias que potissime sunt virtutes, et pro tercio dicit quod rex debet defendere eorum possessiones ab hostibus exstrinsecis ex intrinsecis, iniuriatis restituendo quod suum est et ab iniuste occupantibus aufferendo."

[21] *De civili dominio*, I, xxvi, 188-89: "Hoc ergo supposito, videndum est quod debet esse officium regis in quantum huiusmodi; et constat quod non solum custodire bona mobilia regni sui, quia hoc officium in ecclesia est plus abiectum, ut patet ex dictis, capitulo xxii. Cum ergo regis ministerium Dei, secundum eminenciam virtutis gradui correspondens, patet quod regis est regere secundum legem divinam homines regni sui; et cum partes iusticie sunt declinare a malo et facere bonum, patet quod rex debet rebelles divinis legibus et aliis subministrantibus cohercere, et factores iusticie secundum caritatis regulas promovere. . . . Nam principes solum sunt ad puniendum iniuste operantes, et iustos a contrario premiandos; sed pro isto officio tamquam boni utili est gaudendum; ergo, cum illud officium sine obediencia subditorum non potest exequi, patet quod istis principibus est parendum."

power of the prince will aid him; but if abused, the just man, guarding his charity, will use the occasion to win merit; if he is an unjust fellow, then it is right that the prince punish him.[22]

Now the king is mainly concerned with justice, and the justice of the kings consists in four elements which Wyclif quotes from his understanding of the doctrine of Augustine. The prince sanctions just laws in agreement with the law of God, destroys laws against the divine worship, compels his people to please God, and brings the secular arm into play to pacify his people both internally and externally. These four elements make up the justice of the king.[23]

For this purpose the king must be possessed of wisdom; otherwise he would not be fit to rule. This does not mean that kings have to be scholars (*scolasticos*); it is sufficient if they know how to rule themselves and how to order their servants according to the right hierarchical grades for fulfilling their delegated offices.[24]

In his treatise *De officio regis* Wyclif divides the matter thus: The office of a king consists in three things; in ruling his own person inasmuch as he is a man, in ruling his household inasmuch as he is the head of a household, and in ruling his own realm (*rem publicam*) inasmuch as he is the king. It is clear

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[22] *Ibid.*, I, xxvi, 189: "Nam si iustus fueris et ipse in te non abutitur sed utitur potestate, tunc premiat sive fovet: si potestate sua tecum abutitur, serva caritatem et est tibi occasio promerendi: si iniustus fueris, iustum est et tibi utile quod a principe puniaris." Note Wyclif's use of direct address.

[23] *Ibid.*, I, xxvi, 189: "Recolligens totum officium regis in quatuor: primo, leges iustas legi Dei consonas sanxiendo; secundo, secundum dictas leges divino cultui contraria destruendo; tercio, ad placandum Deum populum compellando; et quarto, ad pacificandum populum tam extrinsecus quam intrinsecus seculare brachium apponendo. In istis quattuor consistit iusticia regis."

[24] *Ibid.*, I, xxvi, 191: "Nemo sine sapiencia est ydoneus ad regnandum, sed non est sapiencia nisi in lege Domini, ergo sine huiusmodi legis noticia nemo disponitur ad regnandum. . . . Nec credat aliquis quod oportet reges esse scolasticos, quia satis est quod sciant in facto se ipsos regere et servitores secundum gradus debitos ad subexequendum suum officium ordinare."

that all these can be reduced to one analogously; that is, to the service of God common to any creature.[25]

With regard to the first, it is of great importance that the king know how to rule himself. He must have wisdom; and since not all kings can have infused wisdom (as did Solomon), it is necessary that a king have wise men both as judges and also as assistants by his side. It is not a knowledge of everything that is necessary, for some things are not pertinent to his state; but the king should possess a knowledge suitable to his state, age, and other circumstances.[26] The king is to remember that the beginning of wisdom is fear; he should take care not to fall into sin as Solomon did, who thereby lost the kingdom for his family. Wyclif is of the opinion that as fathers can win merit for their sons, so they also can cause them to lose it and by the accumulation of sins increase this demerit. Such is the case when the people, by reason of the error of their king, turn away from the law of the Lord. For if a king's life is a mirror of vice, his kingdom becomes infected and finally wastes away.[27]

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[25] *De officio regis*, p. 46: "Et patet quod eius officium stat in tribus, scilicet in regendo personam propriam in quantum homo, in regendo suam privatam familiam in quantum pater familias, et in regendo suam rem publicam in quantum rex. Quantum ad omnia ista simul patet quod omnia illa reducuntur ad unum analogum quod est Deo servire commune cuilibet creature."

[26] *Ibid.*, pp. 46, 47: "Sed quia non omnes reges habent sic sapienciam infusam a domino, sed oportet eos habere sapientes tam in iudiciis quam a latere assistentes. . . . Oportet autem considerare intellectum regis etati statui et aliis regis circumstanciis pertinentem, quia multorum extraordinaria noticia est statui regis impertinens."

[27] *Ibid.*, pp. 47-48: "Unde quia Salomon prevaricatus est in equis et in uxoribus et in vasis aureis atque argenteis ut patet II paralipomenon ix et infra ideo dissipatum et divisum est regnum eius in Roboam. Sicut enim patres possunt mereri filiis, sic eciam possunt demereri et peccatum peccato cumulatum auget demeritum, specialiter quando populus errore regis declinat a lege domini. Ideo dicit Aristoteles in libro secretorum capitulo vi quod summa sapiencia est in lege [*variant*–rege] se ipsum regere. Si enim vita regis sit speculum turpitudinis viciorum necesse est regnum infici et ad ultimum desolari."

But to rule the kingdom according to the law of the Lord, the king and his people must know the law. Therefore there must be doctors of the divine law; otherwise human law will not be regulated. And because the law, which is in itself sufficient to rule any realm, also includes difficulties peculiar to theologians, there must needs be theologians present to teach and defend it.[28]

With regard to the ruling of his own household, the king should follow the example of our Lord in caring for his mother, as he did on the cross by recommending her to St. John. The household of the king can be divided into the priests, the soldiers, and the inferior ministers. With regard to the soldiers, they are to be instructed by the priests not to injure their neighbor in his goods of nature and fortune (since they are prone to do such things) and to be "content with their pay." They are to fulfill their office and to carry out those duties which concern the coactive power. With regard to the inferior ministers, it suffices for the present to say that they are to be led along the path of the observance of God's commandments, fulfill faithful ministry to the king, and cultivate mutual charity among themselves.[29]

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[28] *Ibid.*, pp. 48-49: "Ex istis patet cum necesse sit quodcunque regnum regi lege domini necesse est regem et populum ipsam cognoscere. . . . Quod necesse est pro cuiuscumque regni regimine quod sint doctores et cultores legis divine, sine hoc enim non regulabitur lex humana, sine hoc non constituuntur populus regnum vel continuabitur alia possessio vere iusta. . . . Unde quia lex ista est per se sufficiens ad regendum quamcumque rem publicam includitque difficultates solis theologis reservatas et populus continue declinat ab eis recta noticia, necesse est esse doctores qui ipsam doceant et defendant."

[29] *Ibid.*, pp. 50-51: "Vicarius igitur dei debet maxime habere curam de suis domesticis, et hinc magister noster Cristus providit privilegia suis domesticis et specialiter matri sue quando pendens in cruce, tamquam in cathedra doctorali, matrem virginem paranimpho et evangelice virgini comendavit, dum dixit matri *Ecce filius tuus*, deinde dixit discipulo *Ecce mater tua* Joh. 19. . . . Cum autem uxores et filii sunt supra familiam residuum domus regie potest dividi in sacerdotes, milites et inferiores ministros. . . . Sacerdotes autem debent prohibere militibus ne iniurientur suis proximis in bonis nature vel fortune, cum sint ad talem iniuriam proniores. Et sufficit sacerdoti Cristi innuere eis

The matters concerning the clerics in the king's household should be carefully considered. They are to assist the king by instructions in those things that relate to the service of God and in advising him, according to the law of God, with regard to the fulfillment of justice to the neighbor. The king is to see that all his household clerics are free from notorious crimes, especially simony; and they are not to be put into offices more suitable for laymen. They are to have a special care for the soul of the king.

The king must see to it that his clergy are both virtuous and learned; and since they are to regulate their actions in a more excellent way, so they must know the law better. Lest their wisdom cause them to be proud, they are to strive especially to despise riches, to cultivate affability and truthfulness.[30] Throughout this treatment of the king's household clergy Wyclif stresses the necessity of having clerics who despise riches and who are learned in theology.

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officium militare, quod fecit Baptista sine culpa irregularitatis dum dixit *Contenti estote stipendiis vestris.* . . . Qui enim recipit militare stipendium, ut sic, obligat se ad eius ministerium, ideo militum regis est diligenter exequi illa que concernunt eius potenciam coactivam. Quantum ad ministros inferiores sufficit pro nunc dicere quod manuducantur ad mandatorum dei observanciam, ad fidelem ministerii regis ministracionem et ad habendam inter se ipsos mutuam caritatem."

[30] *Ibid.*, pp. 51-53: "Sed quia sacerdotum est doctrinam istam exequi, et utrobique sub rege architectonice regulare, ideo de illis erit sermo diffusior. Debent enim sacerdotes regi assistere instruendo in hiis que sunt ad Deum, consulendo ad exemplar legis dei in iusticiis servandis ad proximum. . . . Oportet autem regem de familiaribus clericis precavere. Primo quod sint immunes a criminibus notoriis et specialiter symonia. Nam symoniaci sunt heretici et excomunicati qui inficiunt secum conversantes defensione, approbacione, vel arguendi commissione. . . . Secundo considerarent reges quod sacerdotes sui domestici non sint ad laicale officium limitati. . . . Anima enim specialiter regis custodiri debet ab infinitum maiori periculo plus quam corpus. . . . Quomodo, queso, regularent se excellencius secundum illam legem nisi excellencius illam cognoverint. . . . Et cum sciencia inflat et obest nisi virtus adfuerit, patet quod necesse est sacerdotes regum esse proporcionabiliter virtuosos . . . quod precipue stant in tribus, scilicet quod sint contemptores temporalium, quod sint decenter et prudenter affabiles quo ad proximum et quod sint in verbis veraces, caventes utrobique mendacium."

In speaking of the duties of the king as a ruler over his kingdom Wyclif is, unfortunately, much briefer than one would wish. The government of the realm consists in the drawing up of a few just laws, in their wise and forceful execution, and in the defense of the station and right of the liegemen generally. Wyclif notes that Aristotle apparently says that the law is more necessary than the king.[31]

Laws should be few in number because they are something over and above the state of innocence. In such matters the servants of God ought to be content solely with the necessary ones, for an abundance of such laws would distract in many ways from the law of God.[32] Secondly, laws should be few because too many laws only cause confusion and complications, increase the number teaching them, and waste the time of wise men who have to interpret them! And so the laws of England are better than those of the Empire because they are few in comparison with imperial laws and because, over and above a few principles, the rest is left to the power of *epikeia* of the wise judges.[33] Thirdly, such a multitude of laws would be dangerous for the kingdom because men would be drawn to seek them for gain, and worldly men would multiply injuries and damages in the kingdom in their passion

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[31] *Ibid.*, p. 55: "Stat autem regimen regni in paucarum et iustarum legum institucione, in illarum sagaci et acuta execucione, et generaliter in status ac iuris cuiuscunque legii sui defensione. Oportet enim regnum cum vivit civiliter non solum rege sed lege taliter regulari, in tantum quod Aristoteles videtur dicere quod lex est necessarior communitati quam rex."

[32] *Ibid.*, p. 56: "Et patet prudencia quod leges ille sint pauce. Primo, quia sunt principales excedentes statum innocencie; de talibus autem oportet servos dei solum necessariis contentari, quia superhabundancia distraheret multipliciter a legi dei."

[33] *Ibid.*, p. 56: "Secundo quia multitudo legum talium generaret confusionem et intricacionem ad ipsas cognoscendum et exequendum, et per consequens necessitaret ad multiplicandum populum pro ipsis discendis, et subtraheret occupacionem sapientum regni pro ipsis interpretandis. Et hinc leges regni Anglie excellunt leges imperiales, cum sint pauce respectu earum, quia supra pauca principa relinguunt residuum epikerie sapientum."

for domination. This would threaten ruin to the kingdom.[34] The execution of the laws must be wise and prompt. For if the law of the kingdom is not enforced, then the royal dignity is condemned, crime and injury spread in the kingdom, and the Christian religion is everywhere hindered.[35]

Although the king in his government of the kingdom cannot be considered as equal to God in his government of the world, nevertheless he ought to act, insofar as he can, in a similar way, for he is the vicar of God. As the creation of the world is ascribed to the Father, its wise conservation to the Son, and its government to the Holy Ghost, so the king ought to act in a corresponding way in his own sphere with regard to the corporeal things committed to his care. Thus he ought to maintain his liegemen in their state of life, defend them in their goods of nature, and with regard to their temporal goods wisely govern them according to law.[36]

It is necessary that the parts of the kingdom, in quantity and number, work together. For if all were lords, where would be the workers or serfs? If all were priests, where would be the

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[34] *Ibid.*, p. 56: "Tercio colligitur quod talis multitudo foret regno gravis atque inutilis: gravis, quia distraheret homines armorum ad eius intendenciam propter lucrum, et precipue tales secundum mundanam sapienciam multiplicarent in regno iniurias propter questum et libidinem dominandi; et illud minaretur ruinam regni, cum secundum sapientem propter tales iniurias transfert deus regnum de una gente in alteram."

[35] *Ibid.*, p. 56: "Sed secundum est sagax et acuta execucio legis regni, si enim lex regni executa non fuerit sed sopita, tunc dignitas regalis contempnitur, facinus et iniuria in regno dispergitur, et per consequens utrobique Cristiana religio impeditur."

[36] *Ibid.*, p. 58: "Sed pro tercio notandum quod licet rex non possit equiperari deo in regimine regni sui, tamen cum sit dei vicarius debet facere cum regno suo proporcionaliter quantum potest. Deus autem omnipotenter mundum creat correspondenter ad patrem, sapienter creatum inesse conservat correspondenter ad filium, et conservatum in suo esse benivolenter in suo processu gubernat correspondenter ad spiritum sanctum. Correspondenter rex debet facere proporcionabiliter quo ad corporalia comissa suo regimini, debet enim legios suos in gradibus suis statuere, in bonis nature eos defendere, et tercio quo ad bona temporalia eos in suo iure provide gubernare."

secular governors? In the kingdom three hierarchies, which together make up one concordant person, are necessary; namely, the priests or praying class, the secular lords or defenders, and the plebians or laborers. The first class are as the roof of the house; their way of life (*conversacio*) ought to be closer to heaven and they should protect the lower parts from carnal concupiscence, worldliness, and the wind of foolish pride. The second class are as the four walls of a rectangle, defending the kingdom corporally from the four plagues like the four walls of a house. The third hierarchy ought to be intent on earthly matters, the work of the lands, and thus support the kingdom in temporal things. They can be compared to the foundation of the house. When these three hierarchies are well proportioned both in quantity and quality, according to the rules of God, the kingdom will proceed in prosperity.[37]

The wisdom and the prudence of the king should be diligently exercised to achieve this harmony. If the king rules himself with his temporal lords humbly, perfectly intent on the divine government; secondly, if he honors his clergy by giving them their stipend according to the teaching of the law of the Lord; and thirdly, if he detests and punishes severely those who

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[37] *Ibid.*, pp. 58-59: "Quod ad primum patet quod necesse est partes regni in quantitate et numero coapteri quia si omnes forent domini ubi forent operari sive servi? Si omnes forent presbyteri ubi forent domini gubernantes vel seculariter operantes? Ideo necesse est esse tres Ierarchias in regno que omnes unam personam unicordem constituant, scilicet sacerdotes vel oratores, seculares dominos vel defensores, et plebeos vel laboratores. Primi sunt tectum domus ecclesie ideo conversacio eorum debet esse celo propinquior, sarcina temporalium levior et proteccio spiritualis superior. Debent enim protegere partes inferiores a caumate carnalis concupiscencie ab imbribus mundane molestie, et a vento inanis iactancie. Secunda yerarchia debet constanter tamquam tetragonus sine vituperio defendere regnum corporaliter a plagis quattuor correspondenter ad quattuor domus parietes. . . . Tercia vero ierarchia debet intendere operi terrenorum et ideo tamquam sustentans regnum in temporalibus, comparabitur fundo domus. Quando iste tres yerarchie comproporcionantur in quantitate et qualitate secundum dei regulas regnum procedet prospere."

do not live up to the duties of their state—then this kingdom will stand with a more solid roof under the guidance of the spirit of God.[38] Wyclif then launches into one of his frequent exhortations to restrict the spiritual lords and the *possessionati* in their civil dominions.

THE DIGNITY OF THE KING

There are two lengthy sections in the *De officio regis* in which Wyclif takes up the problem of the relationship between the kingship and the priesthood. His discussion is still somewhat confusing, even though we know from his own words that he is considering the matter from two different viewpoints.

The first treatment concerns the problem of the excellence of one jurisdiction in comparison with the other. Wyclif does not agree that the papal authority is more perfect than the imperial merely by reason of its more perfect state, for this would mean that the authority of any ordinary priest would be more perfect than that of his king. Hence it seems probable to him that the regal authority excels the priestly in many ways. The king has a vicarious likeness to the divine power, and hence his power of coercion (*vindicandi*); while the priestly power has a vicarious likeness to the humanity of Christ and bears the characteristic of patient endurance.[39] Likewise, that power which has the

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[38] *Ibid.*, p. 59: "Si autem rex cum satrapis suis regat se humiliter, perfecte comissus divino regimini; si secundo honorat clerum suum dans eis stipendium secundum doctrinam legis domini; et si tercio degenerantes a suo ordine detestatur et punit severius, tunc stabit hoc regnum tectum stabilius spiritu dei duce."

[39] *Ibid.*, p. 137: "Sed difficultas est que istarum auctoritatum sit in se perfeccior, et ex quo, cum perfeccioritas status stat sine repugnancia inferioris auctoritatis. Difficile videtur arguere quod auctoritas papalis sit perfeccior quam auctoritas imperatoris ex hoc quod status est perfeccior. Sic enim foret cuiuscumque sacerdotis quecumque auctoritas perfeccior quam regis auctoritas cui subest. Ideo videtur mihi probabile quod regalis auctoritas precellit auctoritatem sacerdotalem secundum racionem multiplicem. Primo quia illa habet similitudinem vicariam deitatis, et sic vindicandi potestatem; auctoritas autem sacer-

power to command is more excellent than that which is humanly bound to obey, as the episcopal power is bound in human affairs to obey the kingly power and not *vice versa*. For the bishop is obliged in human matters (*humanitus*) to obey the king's power, but not *vice versa*; and so the royal power is greater. And since the king gives the bishop his stipend to perform his office, it seems that he has the power of ordering execution of that office. Nor is the priest greater than the king because he can administer the sacraments, for the authority of him is greater who can command one to administer the sacraments than of him who can only administer them. This is an interesting reversal of the argument which Giles of Rome had used in regard to the scriptural passage about the two swords.[40]

Moreover, Wyclif seems to conclude that one power must be subordinated to the other, and it is clear that the ecclesiastical power is not superior as regards obedience in worldly affairs. For first of all, the goods of the Church are gifts from the earthly princes. Secondly, if things were otherwise, it would be permissible to appeal in temporal matters to the popes. Besides churches pay tribute to the emperor. Some say that the king excels in temporals and the bishop in spirituals; but that does not mean that one authority is greater than the other *simpliciter*.[41]

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dotalis habet similitudinem vicariam humanitatis Cristi, et sic racionem paciendi iniuriam."

[40] *Ibid.*, p. 138: "Item excellencior est illa potestas que habet imperare vel mandare quam est potestas que tenetur ad hoc humanitus obedire, sed potestas episcopalis tenetur humanitus obedire regie potestati, non sic e contra, ergo potestas regalis est ad hoc prestancior. Rex enim, cum dat episcopo suo largum stipendium ad perficiendum suum officium, videtur quod habet potestatem precipiendi execucionem illius officii. . . . Nec moveat quod sacerdos est rege prestancior ex hoc quod conficit vel ministrat ecclesiastica sacramenta, quia maioris potestatis auctoritas est personam precipere conficere quam ipsam conficere." Compare with Chapter I, note 62.

[41] *De officio regis*, p. 138: "Item vel oportet illas potestates ex equo haberi vel unam subordinari alteri. Si enim neutra subordinaretur alteri secundum leges humanas vergeret ad confusionem ecclesie. Et quod ecclesiastica potestas non

Wyclif then proceeds to give his own opinion in the matter according to the thought of Scripture. Power or authority can be called great in three ways. First in its magnitude, and here the uncreated power of God is *equivoce* infinitely greater than created power. Next created power can be divided into what is great in itself or great by reason of its office. The power of a created spiritual being (that is, angels or devils) is greater than any power of a corporeal nature. Human power, however, is subdivided into secular or ecclesiastical or simply spiritual. And so the power about which there is question here is bipartite, to wit as regards the temporal or the spiritual.[42] In one way one is persuaded that the power of the king, who is God's vicar, is more excellent; but in another the priestly power should excel since it ought to have the greater grace to follow its more perfect state, since the priest lives more conformably to Christ.[43]

These texts leave much to be desired in the matter of clarity, but in conclusion Wyclif sums up his views once again as fol-

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sit secundum obedienciam mundanam superior patet ex multis. Primo quia bona ecclesie sunt elemosine collata sibi a terrenis principibus. . . . Secundo quia aliter liceret appellare in temporalibus ad papam, quod prohibet Allexander dicens (*Decretal.* L, ii. Tit xxviii c. 7). . . . Et tercio quia ecclesie solvunt tributa imperatori. . . . Propter talia dicitur communiter quod rex precellit in temporalibus et episcopis in spiritualibus. Sed per hoc non docetur simpliciter que auctoritas sit relinqua maior."

[42] *Ibid.*, p. 140: "Hic dicam quid ego sencio conformiter ad scripturam. Unde pro declaracione notandum quod potestas vel auctoritas dicitur magna tripliciter; vel absolute penes magnitudinem ex se potentis (et sic potestas eterna dei est equivoce infinitum maior quam alia potestas creata); potestas autem participative dicta, creature communicata, potest dupliciter dici magna, vel simpliciter vel quoad speciale officium. Primo modo potestas spiritus creati, eciam diaboli, excellit quamlibet potestatem nature corporee [*sic*]. . . . Potestas autem humana vel est secularis, vel ecclesiastica, vel spiritualis simpliciter; et sic est potestas circa quam est contencio bipertita, scilicet vel quo ad temporalia vel quo ad spiritualia."

[43] *Ibid.*, p. 141: "Primo modo est potestas regis, qui est dei vicarius, antecellens, ut suasum est; sed secundo modo debet potestas sacerdotalis precellere cum debet habere maiorem graciam servando in se statum perfecciorem in hoc quod vivit Cristo conformius."

lows: The regal power is greater (*simpliciter*) than the priestly power as regards the temporalities, although the priestly power is of a far higher order. If both powers should exist alone, without grace, the regal power is less and the sacerdotal power worse. Both powers are from God, although the emperor came first in time. If one were to ask in a given case of a living person (that is, bishop or king) which is in greater dignity, the answer would require a special revelation.[44]

In the eighth chapter of the *De officio regis* Wyclif adds some appendices to his previous treatment and discusses the question of the dignity as regards a comparison of the ministry of the priest with the power of the king. He admits that it might seem to some readers that he had said just the opposite before, but he points out that the previous discussion concerned "greatness" in a different sense than that which the world uses.[45]

The state of the priesthood is more perfect, since it is easier to merit beatitude in it; but it also requires greater sanctity. The greatness of the priestly order consists in acts of humility and virtue, and not in striving after greatness. From these and other considerations he concludes once more that the king is greater with regard to temporalities than any of his priests, greater even than the pope. This is not to be extended to Christ, however, whose regal rights exceed those of other kings. But the power of the king is over the minister of the sacrament, not over the sacraments themselves. He adds that it was in this sense he

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[44] *Ibid.*, pp. 142-43: "Sic ergo videtur quod regalis potestas sit simpliciter maior quo ad temporalitatem quam sacerdotalis potestas, que est longe alterius racionis. Et tamen sacerdotalis potestas est maior quoad spiritualitatem, sicut linea dicitur maior puncto. . . . Utraque autem potestate existente nuda, sine gracia maioritante regalis potestas est minor et sacerdotalis turpior. . . . Et patet ex dictis quod querendo simpliciter sine modificacione que potestas vel auctoritas viantis est maior alia, responderi debet ab eo cui non fit revelacio ignorando, 'Quis queso scivit quod Baptista fuit maximus citra Cristum?'"

[45] *Ibid.*, p. 195: "Videtur enim . . . dixisse oppositum. Hic dico quod aliter loquendum est de magnitudine potestatis quam mundus loquitur."

meant the statement that it is by the king's authority and precept the priest ministers the sacrament.[46]

Wyclif's discussion on this matter is complicated and obscure. Much of his argument in favor of the excellence of the kingly power can be found in earlier writers, and it would seem that Wyclif with all his distinctions does not depart far from what was the traditional view of excellence of the kingly power in relation to the spiritual.

THE KING AND THE LAW

The remarks of Wyclif concerning the relationship of the king and the law are considered of special importance, for it has been pointed out that in his theory there seems to be no legal bond existing between ruler and subjects by means of which the ruler is to be held in check.[47] Wyclif himself raises the problem by citing an objection offered against his opinions. He remarks that it has been objected that the king is subject to his own law (*legi proprie*), although (or since?) he is the chief part of the kingdom, inferior to the priesthood, and is regulated by his own

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[46] *Ibid.*, p. 196: "Status autem sacerdotis est militari perfeccior, hoc est ad beatitudinem promerendum habilior sicut status pauper est quo ad deum superior. Sed oportet perfecciori statui vitam addere sancciorem; aliter enim est status dampnabilior. . . . Et, ut supra dictum est, non circa maioritatem contendere, sed actus humilitatis et servitutis secundum formam apostolorum intendere. . . . Ex istis autem et aliis condicionibus concernentibus statum regis manifeste concluditur quod quantum ad secularitatem rex sit quocumque sacerdote suo, eciam papa, maior; cum istam maioritatem non extendimus ad Cristum, quia regalia sua excedit omnem aliam regaliam et propter inperfeccionem status non est capax maioritatis huiusmodi temporalis. Sed notandum, quantum ad imperium regis super presbiterum ad ministrandum ecclesie, quod aliud est sacramentum et aliud est ministerium. Rex autem non habet auctoritatem immediate super sacramentum sicut nec Cristi vicarius, sed super sacerdotis sui ministerium. Et ad istum sensum dixi superius quod auctoritate et precepto regis sacerdos eius ministrat ecclesie sacramenta, quod auctoritas et preceptum regis cadat super ministerio sacerdotis."

[47] See Carlyle, *A History of Mediaeval Political Theory in the West*, VI, 56: "But Wycliffe does not allow any legal right in the community against the king."

law (*per legem propriam*), which law is therefore greater than the king [?]. However, he replies by noting that no one would reasonably lay down a law which would restrict his own liberty. It is fitting, then, that the founder of the law be above the law, and he quotes Aristotle in approval.[48]

This brief solution Wyclif further expounds in the following manner: First of all, law is a reason or truth above the power of men and obliges all men, even Christ in his humanity, although according to his divinity Christ is above all law. Now a law made by means of civil dominion denotes, over and above this truth, the ordination and promulgation made in a human manner for the regulation of the civil dominion. In this way the king is the principal founder of his own law. Secondly, one must note that the word "subjection" can be taken in a twofold sense: first as an obligation coming from the binding power alone of the same law; or secondly, an obligation arising from a higher law. The first obligation is called coactive (*coacta*) subjection and the second voluntary.[49]

In the first way every Christian is subject to the law of Christ; but in the second way Christ himself, in his humanity, is subject to his own law. It is clear, then, that the king is subject

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[48] *De officio regis*, p. 93: "Sed secundo obicitur per hoc quod videtur regem esse subiectum legi proprie cum sit precipua pars regni et inferior sácerdote, regulatus per legem propriam que est rege prestancior. Oppositum tamen videtur ex hoc quod nemo racionabiliter statueret legem ad tollendum eius libertatem. Oportet ergo quod legis conditor sit supra legem, ut dicit Aristoteles de rege, iii politicorum." This text seems obscure, due especially to the phrase *et inferior sacerdote*.

[49] *Ibid.*, pp. 93-94: "Hic oportet notare quomodo lex, cum sit racio vel veritas supra hominum potestatem, obligat omnem hominem, eciam Cristum humanitus, licet secundum divinitatem sit supra omnem legem, que non est deus, ut alias exposui. Sed lex contracta per civilitatem connotat supra talem veritatem, ordinancionem et promulgacionem humanam ad civile dominium regulandum, et sic est rex principalis conditor legis sue. Oportet secundo notare quomodo dupliciter potent intelligi legi subieccio, scilicet debita ex pura ligacione ejusdem legis vel debita ex obligacione legis superioris. Prima subieccio dicitur coacta, et secunda voluntaria."

to his own law, not by the command of his law but by the command of the divine law. For according to the law of nature, and consequently the divine law, it is necessary for the king to defend his own law by obeying and fulfilling it as an example for the obedience of others. Therefore the king, inasmuch as he is the head of the kingdom, administers his own law voluntarily from the command of a higher law; and the liegemen of the king, if they are unwilling, are to be coerced by reason of the command of the same law. This applies to the priests, even though from another point of view they are superior to the [king's] law.[50]

The king, then, is to lay down just law and carry it out after the example of the law of God by honoring each one according to the dignity of his state and merit (the good dukes, counts, barons, soldiers as such, the faithful workers as such, and the clerics who are advancing in due measure in their rank) and in treating with severity those who fall away from their station. For the body of a kingdom is established in political health when its heart, which is the kingly power, influences both the superior order of clerics as well as the inferior commons (*vulgaribus*) [toward] what is just.[51] For the king cannot give a

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[50] *Ibid.*, p. 94: "Primo modo omnis Cristianus subicitur legi Cristi, et secundo modo ipse Cristus humanitus subicitur sue legi. Ex istis patet tercio quod rex subicitur legi proprie imperio legis divine, sed non imperio legis proprie. Nam ex lege nature, et per consequens ex lege divina, oportet regem defendere legem propriam, et obediendo ac implendo ipsam exemplare aliis quomodo parebunt eidem. . . . Rex ergo, in quantum caput regni, debet ministrare legi proprie voluntarie ex imperio legis superioris, et legii regis, si noluerint debent cogi ex imperio eiusdem legis, eciam sacerdotes licet sint secundum aliam racionem lege superiores."

[51] *Ibid.*, p. 96: "Oportet ergo quod rex iuste statuat iustam legem et ipsam, ad exemplar legis dei, virtuosus exequatur, quemlibet prudenter secundum dignitatem sui status et meriti honorando, ut bonos duces, comites et barones, et milites tamquam tales, fideles operarios tamquam tales, et clericos procedentes debite in suis statibus tamquam tales, et demum honorando decore vindicte eos qui a statu suo degenerant, tanquam talem. Nam corpus regni tunc

privilege or do anything which would weaken his kingdom or harm his people. Nor can he grant a privilege which would by its very nature bring harm to someone or on occasion be harmful to his subjects.[52]

One problem which is an important test for any political theorist is the course to be advised to subjects of a government which has become tyrannical. Wyclif is usually said to favor the tyrant, in the sense that he forbids resistance to such a ruler. His own words on the problem are very interesting. In the section of the *De civili dominio* where he formally poses the question as to whether Christians are to obey tyrants, Wyclif replies that it seems so, for such was the example of our Savior before Pilate, Herod, and the chief priests with regard to the goods of the body, even though he could easily have resisted them, and his every action is our instruction.[53] Moreover, God has ordained the powers of both faithful and unfaithful rulers that they should benefit the *ecclesia*. Therefore God willed the means, one of which is the payment of taxes and the like; hence these are to be paid even to unfaithful lords.[54]

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constat in sanitate politica quando cor eius, quod est regia potestas, influit tam superioribus clericis quam inferioribus vulgaribus quod est iustum."

[52] *De ecclesia*, p. 218: "Item, rex non potest quicquam rite concedere quod vergeret ad enervacionem regni sui vel iniuriam sui populi." *Ibid.*, p. 260: "Sicut autem non possunt concedere quod manifeste vergeret ad destruccionem regni sui vel Dei iniuriam, sic non possunt concedere privilegium quod inferret per se alicui iniuriam vel quod occasione data suis subditis sit dampnosum."

[53] *De civili dominio*, I, xxviii, 199: "Sed tercio lacius dubitatur, si Christianus debet potentatibus tyrannizantibus obedire, et videtur quod sic: nam Salvator obedivit quoad bona corporis Herodi, Pilato, et principibus sacerdotum, cum tamen facilime potuisset restitisse; sed omnis Christi accio est nostra instruccio."

[54] *Ibid.*, I, xxviii, 199: "Item, eo ipso quod Deus ordinat finem aliquem, ordinat media necessaria ad eundem; sed Deus ordinat potentatus seculi, sive fideles sive infideles, facere multa opera ecclesie utilia et bona de genere; ergo ordinat media necessaria ad eadem; sed necessaria sunt tributa et vectigalia, ergo illa sunt infidelibus dominis exsolvenda."

Wyclif points out that a just man obeys these worldly powers in two ways: first by enduring the tyranny, which as long as the sufferer keeps his charity is not an evil thing; secondly, even the active ministration of goods under a tyrant (preserving oneself in charity) is not wrong, for secular power does many things to benefit the *ecclesia.* Moreover, the Christian man pays his taxes, not that the rulers may tyrannize, but that they may do good.[55]

In the first part of the *De officio regis* Wyclif admits that kings may abuse their power. He then quotes the distinctions of the Gloss, seemingly with approval; if it is a personal injury, then after an evangelical exhortation has been given to the tyrant, patience is the best medicine; but if it be an injury done to the cause of God, then the Christian, after giving an evangelical correction, ought confidently and obediently to resist his command even to death. And so in both cases patience is to be exercised. Those who exceed this rule sin seriously.[56] After citing the example of Christ, the apostles, and the martyrs and after advising patience, Wyclif concludes that from their example we may say that those who resist the regal power by force or

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[55] *Ibid.*, I, xxviii, 201: "Hic dicetur quod dupliciter contingit iuste obedire mundi potentibus; vel pure paciendo, servata caritate, quod non poterit esse malum; vel active ministrando in bonis fortune aut ministerio corporali quod indubie, servata de possibili caritate, foret bonum. Unde, cum potentatus seculi faciunt multa bona de genere, que . . . multipliciter proficiunt ecclesie et per consequens placet Deo. . . . Satis est ergo quod Christianus solvat tributum potentibus ut bonum faciant, non ut tyrannizent."

[56] *De officio regis,* p. 8: "Sed quia contingit prepositum abuti sua potestate ideo secundum glossam est taliter distinguendum. 'Vel illata est iniuria quo ad causam propriam vel pure quo ad causam dei. In primo casu post exhortacionem evangelicam paciencia est optima medicina. Si pure in causa dei cristianus debet, post correpcionem evangelicam, preposito suo usque ad mortem si oportet, confidenter et obedienter resistere. Et sic utrobique innitendum est paciencie, comittendo humiliter deo iudicium iniuriam vindicandi.' Et qui excedit hanc regulam resistit dampnabiliter potestati et dei ordinacioni, ut faciunt hii qui rebellant precipue, id est affeccione comodi temporalis personalis."

fraud sin grievously.[57] Indeed bad kings are to be honored for two reasons: first, because as rational creatures they are still images of the Trinity; secondly, because they have a power bestowed on them by God for the advantage of the *ecclesia*. Thus they help God by their power, even though they abuse it in a way to bring damnation on themselves.[58] So the tyrant in power is to be hated for his vice and loved for his office.

In another series of passages in the *De officio regis*, while considering the sad state of a vassal bound in homage to two inimical lords, Wyclif brings up the problem of a tyrannical lord. To a manifestly tyrannous lord, his liegeman is bound to serve and obey him faithfully by procuring concord, telling him the truth, and pointing out the error; sometimes, if necessary, by rebelling against obstinate tyranny. At times the faith which a vassal owes to his immediate lord ought to take the form of rebellion[?]. A liegeman is not supposed to favor the evil ways of a tyrant. But a man may favor human nature not only by resisting, but even by killing [it?], and in like manner without duplicity he may favor two opposing lords, but his service is different both in cause and in method.[59] Unfortunately, this passage

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[57] *Ibid.*, p. 9: "Ex quibus colligitur, quod peccat graviter qui resistit regalie principum vi vel dolo."

[58] *Ibid.*, p. 17: "Et patet quod reges discoli sunt racione honorandi, primo quia sunt creature racionales in quibus nedum relucet vestigium sed ymago trinitatis, secundo quia habent potestatem eis collatam a deo ad proficiendum sue ecclesie et sic ad adiuvandum dei potestative, licet potestate sua dampnabiliter abutantur."

[59] *Ibid.*, p. 200: "Ymno altero manifeste tirranisante contingit suum legium quo ad mundum servire et obedire sibi fideliter procurando concordiam, anuncciando sibi veritatem, et errorem, necnon et rebellando, si oportet, contra tyrrannidem obstinatam. . . . Oportet tamen legem Cristi utrobique regulare fidem in talibus cum legius quandoque ex fidelitate quam debet domino debet in casu suo legio regi resistere rebellando. . . . Ad terciam negatur consequencia; cum omnis rex temporalis sit subregulus regi regum. Ideo oportet eum habere servum qui utrique servo suo subserviat. Non igitur sequitur si legalitas temporalis exemplatur in legalitate Cristo debita quod sit in toto conformitas; sed oportet quod sit in multis difformitas. Et quantum ad illud in fine additum patet quod non

is not very clear and here one would wish that Wyclif had expanded his treatment and made his meaning clearer.

CONCLUSION

Fritz Kern has remarked that the "medieval Christian State is not merely a juristic institution, but expresses the ideal of active social betterment and civilization. Hence it binds the monarch to another law, and not merely to the existing order, but to one which has still to be created."[60] However, Wilkinson points out that, in striving for this betterment in his actual ruling, "the magnates were pledged to rule with the king and help him, and correct his faults."[61]

The problem was not only when this correction should start, but how far it should go. It was a very real problem during the years in which Wyclif was writing his books. It must be remembered that the Good Parliament was something extraordinary, and it is at least possible that there was present some exaggeration of the customary conception of baronial rights of resistance. At any rate there was a royal viewpoint in these matters, and Wyclif defended that viewpoint with special emphasis. Furthermore, Wyclif had his own thesis (the confiscation of the temporalities of certain clerics) and this depended on a special exaltation of the royal power; this too must be kept in mind in evaluating his views on monarchy.

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oportet legium serviendo tyrranno favere sibi in moribus. Favet autem homo nature hominis non solum resistendo sed eciam occidendo et sic stat eundem sine duplicitate favere proficiendo, duobus contrariis dominis in causa et modo dispari." The objection which Wyclif names here "Ad terciam" seems to be the one on page 199, "Similiter non stat quod quis sit legius Cristi et principis huius mundi; ergo, cum omnis legalitas alia fundatur in ista, videtur quod non stat eundem simul esse legium duobus capitalibus inimicis."

[60] Fritz Kern, *Kingship and Law in the Middle Ages*, translated by S. B. Chrimes (Basil Blackwell & Mott, 1939), p. 71.

[61] Wilkinson, *Studies in the Constitutional History of the Thirteenth and Fourteenth Centuries* (Manchester University Press), p. 252.

It is difficult at any time to decide how far the ruler may go in certain matters and to what extent the right of resistance may be invoked. The sixth chapter in the first book of the *De regno* of St. Thomas is an example of the prudence to be used in treating of this matter. As a matter of fact, St. Thomas notes that it may be more useful to put up with the tyranny for a while because of the greater dangers involved in resistance, the possible dissensions, and greater evils that may come out of it all.[62] Thomas lived in the midst of the troubled Italian city politics. It would seem that the closer a writer is to the actual invocation of this right of resistance, the more careful he will be in making forthright applications of his theory. Possibly the seeming ambiguity of the different passages in Wyclif's writings on this question may arise from the fact that he was so near the Good Parliament and the events which followed it.

Another characteristic feature of medieval political theory is the discussion which its writers have devoted to the relationship of the ruler to the law. That the problem still plagues the moderns is obvious; indeed for those who have gotten rid of the medieval barrier of some type of natural law it seems insoluble. At any rate, for the medieval man the king was somehow subject to the law. Piers Plowman had written:

> Dum rex a regere dicatur nomen habere;
> Nomen habet sine re nisi studiet jura tenere.[63]

But this law was made only with the cooperation, in some form or other, of the *communitas*. Bracton declared that that enactment had the force of law which was justly decided upon and approved with the counsel and consent of the great men, the approval of the *respublica*.[64] Grosseteste wrote that he was

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[62] *St. Thomas on Kingship*, pp. 23 ff.
[63] *Piers Plowman*, Skeat edition, I, 14.
[64] Carlyle, *A History of Mediaeval Political Theory in the West*, V, 51.

not idiotic enough to believe that law could be made or changed without the counsel of the prince, as well as that of the great men of the realm.[65]

It is true that Wyclif quotes Aristotle to the effect that the law is more important than the king, and he compares the power of deposition to a bridle (*frenum*). Still he was far from making the law the frequent bridle on the king that Fleta conceived it to be.[66] Indeed in the treatment of the relationship of the ruler and the law it is interesting to note how closely Wyclif parallels the thought of the civilian lawyers. For example, Cynus had said of the emperor's relation to law that he was not bound to observe the law necessarily (*de necessitate*), but that he should do so graciously (*de honestate*).[67] Bartolus maintained that, although the king was exempt from the law (*legibus solutus*), it was right and equitable that he should live according to the law. He does this of his free will, not of necessity.[68]

The resemblance with Wyclif's doctrine is obvious; though this does not necessarily mean that Wyclif was familiar with the writings of the civil lawyers, for he reaches his conclusion on a line of argumentation peculiar to the professional theologian. The problem of the submission of Christ in his human nature to a divine law, of which he was the author in his divine nature, affords Wyclif an analogy which he promptly proceeds to work out with respect to the king. Although not subject to his own law

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[65] *Grosseteste episcopi quandam Lincolniensis epistulae*, p. 96.

[66] *Fleta*, I, 17, 7 is quoted in Carlyle, *A History of Mediaeval Political Theory in the West* (Wm. Blackwood & Sons, Ltd.), VI, 8: "Temperent igitur reges potentiam suam per legem quae fraenum est potentiae, quod secundum leges vivant; quia hoc sanxit les humana, quod leges suam ligent latorem; et alibi, digna vox majestate regnantis est, legibus alligatum se principem profiteri."

[67] *Ibid.*, VI, 15: "Dico ergo, quod imperator est solutus legibus, de necessitate: tamen de honestate ipse vult ligari legibus, quia honor reputatur vinculum sacri juris."

[68] *Ibid.*, VI, 19: "Fateor quod ipse (princeps) est legibus solutus, tamen aequum et dignum est quod legibus de voluntate, non de necessitate."

necessarily, the king is voluntarily subject and this by reason of a higher law, the divine law. Thus Wyclif achieves an exaltation of the monarch while keeping to some extent at least the customary doctrine of the submission of the ruler to the law.

In his concept of the medieval king Wyclif has given us the usual picture—a picture which emphasizes the fact that "the medieval government revolved in practice about the person of the monarch."[69]

> We are sometimes surprised, therefore, to find a medieval king treating his *regnum* as if it were his private property, and neglecting what we would regard as the most elementary duties of the ruler. Conversely, the people whom we call subjects or citizens were likely to behave toward their king like vassals who owed only certain services of aid and counsel, or even to deny that they were subject at all, except through their immediate lord. . . .
>
> It is hard for us not to associate our modern concept of the state with the kingdom of the realm, even though we know that we should not.[70]

Even today the executive and administrative aspects of a government seem to be what usually impress the normal citizen. And in Wyclif's time the king ruled as well as reigned. Even in 1386 Richard II could tell both Lords and Commons, who were demanding the removal of certain of his ministers, that it was none of their business, that he would not even dismiss a kitchen servant at their request.[71]

The important political events of the years 1371-1386 show us a Parliament in conflict with a king. These episodes are recorded by the chroniclers, along with other things like earthquakes, heresies, and even an occasional eclipse of the sun. It is

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[69] Wilkinson, *Studies in the Constitutional History of the Thirteenth and Fourteenth Centuries* (Manchester University Press), p. 255.

[70] B. C. Keeney, "The Medieval Idea of the State: the Great Cause, 1291-1292," *University of Toronto Law Journal*, VIII (1949), 48.

[71] Wilkinson, *Studies in the Constitutional History of the Thirteenth and Fourteenth Centuries*, p. 256.

sometimes forgotten that many of the political events were historical "news"; they were not something ordinary. The chroniclers did not bother to tell people how the king ordinarily governed; they could see that for themselves. Hence one must beware of regarding the Good Parliament as an ordinary one; nor can one argue from its proceedings to the usual conduct of such bodies.

Modern constitutional historians are once again stressing customary power of the king in medieval government. "The king was the mainspring of the executive."[72] Despite the emphasis on the king's subjection to law, the marks of uncontrolled prerogative power are nonetheless visible.[73] The king, in some cases at least, could even annul the effect of common law; in certain cases he could grant exemption from taxation.[74] As feudal lord the king had certain prerogative powers, and in addition he held wide powers with regard to prelates and religious houses. The two archiepiscopal churches, all the English episcopal churches except one, many abbeys and priories, were under his jurisdiction. This meant in practice that the king received their temporalities during vacancy. He gave or withheld his consent to the holding of elections, his approval of the one elected, and he exacted from him an oath of fealty.[75] It will be seen then that Wyclif's picture of the king was not a fanciful one.

Incidentally it might be remarked that this concept of the ruler and his duties, which is so evident in Wyclif's works, would offer a reasonable basis for alignment with a man in John of Gaunt's position, especially in 1376. The king who ruled as Wyclif described him would appeal to the Duke of Lancaster,

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[72] W. A. Morris in the introduction to *The English Government at Work, 1327-1336*, edited by J. F. Willard and W. A. Morris (Mediaeval Academy of America, 1940), I, 4.

[73] *Ibid.*, I, 5.

[74] *Ibid.*, I, 6.

[75] *Ibid.*, I, 10.

who could speak of the leaders of the Good Parliament as waxen soldiers and ask "if they thought they were kings or princes of this land?"[76]

Richard II seemingly echoed Wyclif's concept of a king when in 1397 he told the subjects of his realm the three things required for good government: that the king be powerful enough to govern; the laws be kept and enforced; and the subject obedient to king and to his laws.[77]

Wyclif's description of the king is well worth quoting:

> Si autem rex cum satrapis suis regat se humiliter, perfecte comissus divino regimini;
>
> si secundo honorat clerum suum dans eis stipendium secundum doctrinam legis domini;
>
> et si tercio degenerantes a suo ordine detestatur et punit severius,
>
> tunc stabit hoc regnum tectum stabilius spiritu dei duce.[78]

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[76] Thomas of Walsingham, *Chronicon Angliae*, p. 74: "Quid," inquit, "isti degeneres et sepium milites moliuntur? Num putant esse terrae istius reges sive principes?"

[77] Quoted in Wilkinson, *Studies in the Constitutional History of the Thirteenth and Fourteenth Centuries* (Manchester University Press), p. 250: "A la bon Governance de chescun Roy trois choses sont requis. Primerement, qe le Roy soit puissant a governer. Secondement, qe les Loies par queux il doit governer scient gardez et executz justement. Tiercement, qe les subgitz du Roialme scient obeissantz duement a Roy et a ses Loies."

[78] *De officio regis*, p. 59.

CHAPTER V

Wyclif and Nationalism

When one has read the various passages previously cited from Wyclif's own writings, the use of the term *nationalism* in his regard may cause some surprise. Indeed it must be admitted that in some respects his viewpoints are quite non-nationalistic in the modern sense of the term. But nationalism as used here is not meant to express the fully developed modern concept which owes so much to the French Revolution and to the added developments of the nineteenth and twentieth centuries. *Nationalism* is taken merely in the sense of the growth of centralization in the power of the king; the development of authority from regional to that of a large geographical unit populated by men and women who share some unity of language and custom; and the possession of a consciousness of that unity as opposed to the unity of other peoples and other lands.

It will be of interest to investigate Wyclif's possible contribution to the greater definiteness and development of the idea of nationalism, which is here quite deliberately stated in vague terms. We can gain some idea of his influence on the development of the concept of nationalism from a study of his ideas on the relationship of emperor and pope to the king of England, his opinion on the morality of war and the conditions necessary to justify it, and his statements regarding the relationship of the crown to private property.

RELATIONSHIP OF EMPIRE AND PAPACY TO ENGLAND

Wyclif has no hesitation in affirming that the kingdom of England is in no way subject to the emperor. There are three reasons why England, and other countries in a similar situation, are free of their obligation (*descendunt*) to the Roman Empire. First, because the emperor did not live as he should, but acted against the religion of Christ [endowing and allowing a bad clergy]. The second reason given is that the emperor did not prevent his dominions from being despoiled. Thirdly, and more in the political sphere, dominion is not legitimate unless there is a corresponding proper government; but England, an island, is so distant from the Mediterranean kingdoms that it cannot easily be ruled by imperial authority. Hence England is not a part of the imperial sphere by any valid claim, especially when taxes are high without corresponding recompense. However, Wyclif adds that on the supposition of beneficial government the islands should obey proportionately; thus the members of the combined Empire should help one another against the assembly (*ecclesiam*) of the malignant.[1]

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[1] *De officio regis*, p. 249: "Sed triplex figuratur racio quare Anglia cum ceteris regnis racionis consimilis descendunt a romano imperio; primo quia non vivit imperialiter, sicut debet. Ideo Anglia non debet false obedire sibi tanquam imperio stulte siquidem et iniuste contra religionem quam Christus instituit dotavit suum episcopum, et post permisit vecorditer clerum puerum et effeminatum iuxta vaticinium Ysaie usurpare super ipsum dominium. . . . Secunda causa est quia imperator nedum permittit suos satrapas spoliare proprium et peculiare eius dominium, de quo oportet eum non obstante donacione quacunque habere capitale dominium, sed et permittit lupos suos ebulire ad insulas et terras exteras bona et personas simulacione maxime proditoria rapiendo. . . . Tercia causa magis politica est ista: dominium super regna non est legitimum nisi propter regimen correspondens, sed insule, cuiusmodi est Anglia, propter difficilem distanciam a regnis mediterreneis non sunt de facili capaces talis imperialis regiminis. Ideo non est conveniens ut aliarum terrarum carum subieccio, et specialiter si petunt exacciones rigidas sine hoc quod dominativam faciant recompensam. Sed videtur quod, supposito protectivo regimine, debent predicte insule proporionaliter obedire, et sic membra aggregati im-

In addition he notes that, although universal dominion is desirable in itself, it is now impossible. For distance, seas, and mountains impede the extent of political government, which ought to be something perceptible to the senses. Secondly, diversity of language and custom, in their pride, do not allow of such a government permanently. Thirdly, barriers of distance and the like make it difficult to control such an empire, and with obedience to the imperial government extinguished in subjects and kings, the *imperium* should be dissolved.[2] Supposing the sin of man and the ignorance of the people, it is therefore better for the present state of the *ecclesia* that kings should extend their jurisdiction as far as is sufficient for their circumstances.[3]

Moreover, in secular matters the king of England is not subject to the emperor, who is the lord of the pope however. Therefore the English king ought to correct abuses in the matter of his alms and restore his (*suam*) Church to its primitive state of perfection. It was a mistake on the part of previous English kings to endow the Church, and now their descendants should remedy their mistakes.[4] Wyclif points out that Robert Grosse-

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peratoris sibi ipsis obedire reciproce, et contra ecclesiam malignancium mutuo se iuvare."

[2] *Ibid.*, p. 261: "Conceditur tamen quod licet pugnare cum circumstanciis supra-positis, sicut et licet regi desiderare tantum de temporali dominio quantum sufficit seculariter regere conformiter legi Cristi. Quod videtur multis se non posse extendere ad totam istam habitabilem propter multa; primo, quia distancia terre maris moncium et deserta inpedirent gubernacionem politicam que debet esse sensibilis; secundo, quia diversitas lingwarum et morum ex superbia non patitur subieccionem huius (modi) permanenter; et tercio, quia cum oportet dominacionem huius (modi) dicere altrinsecus violenciam non potest attingere ad comunicacionem naturalem cui non repugnat localis distancia, sed deficiente obediencia in subiectis et regimine imperiali in regibus oportet quod terrenum imperium dissolvatur."

[3] *Ibid.*, p. 262: "Supposito autem peccato viancium et ruditate plebis racionis expertis est melius pro nunc ecclesie quod sint reges extendentes iurisdiccionem suam ad tantum regnum quantum sufficiunt modo suo."

[4] *Ibid.*, p. 213: "Rex autem Anglie non est seculariter subiectus Cesari, qui est dominus pape nostri. Ideo licet sibi, et debet, elemosinas suas corrigere et ecclesiam suam, cum sufficit, ad statum perfeccionis pristinum revocare. . . . Proge-

teste, arguing from Scripture, had already written his opinion that the king of England had no power to make abbots or clerics indulge in secular business or to force them to act as secular judges in the royal courts.[5]

As a matter of fact, in earlier times the king wished to take cases out of the archbishop's court. Great harm came from this and great sin was committed by the king and his magnates. Wyclif points out that in his day the case is similar as regards the relationships between the archbishops and the Roman courts; for incompetent persons are selected for benefices, and there are too many appeals made to the Roman courts.[6]

With regard to the pope's power over England in secular matters, he states that the donation of Constantine does not affect England, which was not subject to the Roman *imperium* and its king conquered the emperor, although for a time he was subject in a tyrannical way. And he warns the king against the danger of clericalism.[7]

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nitores, inquam, regum Anglie irreligiose et stulte dotarunt ecclesiam. Ideo illorum est defectus patrum corrigere."

[5] *De civili dominio*, III, viii, 119: "Unde Lincolniensis epistola LXXIII docet ex scriptura quod rex Anglie non habet potestatem ad coercendum abbates vel clericos officium, iusticiam vel seculare iudicium exercere, adducens ad hoc textum Apostoli precipientis I Cor. vi."

[6] *Ibid.*, I, xxxix, 290: "Quin pocius omnes vel pars maior eorum incidit quod rex prohibuit archiepiscopum in curia sua causas sibi pertinentes discutere, sed devolvi voluit ad curiam regis, ubi frivole tractarentur, utraque parte peccante enormiter, rege ac magnatibus partem ream foventibus ad eorum peccatum dampnabile et regni maximum detrimentum. . . . Et patet quod hodie (si phas est dicere) sunt episcopi Anglie quoad Romanam ecclesiam in casu consimili, ut Lincoliensis [*sic*] in sermone suo conqueritur Romano pontifici."

[7] J. Wyclif, *Tractatus de potestate papae*, edited by J. Loserth (London, 1907), x, 227: "Non enim habet ex titulo cesaris amplius dominium, quam originaliter habuit qui donavit. Sed patet ex facto et cronicis quod rex noster devicit cesarem, licet ad morulam ex casu proditorio sibi per modum tyrannidis est subiectus. [Wyclif may perhaps refer to Richard's capture by the Austrian duke.] Unde videtur michi quo consulendum est regno Anglie quod eo accepcius subdatur vero pape (sicut contigit de multis Romanis episcopis) quo liberius modo quo debet homo promerens illud facit, cavendo semper ne aliquis pontifex vendicando dominium blasfemet in eum, quia nichil magis enervat imperium."

Wyclif stresses the oath to be taken to the king. Since the king receives an oath from his military, his bishops, and from his subjects in their superiors (*capitibus*), it would be well if he received an oath taken in a general way in his institutions (*in suis institucionibus in confuso*), from his distant liegemen like the pope and cardinals, and from others who wished privately and specially to have a benefice (or the benefit) of the king and kingdom. Since in human things the friars are immediately subject to the pope and not to the bishops of the kingdoms, their provincials ought to take an oath to the kings and kingdoms, and through them each and all of their subjects.[8]

In his *De officio regis* Wyclif remarks that some have objected to his statements about clerics who study civil law. He seems to say in this passage that the ecclesiastical laws are more evil than many of the civil laws and that the faithful cannot study them except to contradict such laws. It were better if the king did not give alms to canon or civil lawyers for purposes of study, since he does not do so for the study of English law, which he would naturally favor more. Moreover, it would be more useful if they studied their own law rather than that of two foreign polities. However, Wyclif qualifies this position immediately with the remark that the kingdom ought to know papal and imperial laws, not only for the truths and arguments in them and to help itself in communications with foreign men and books, but especially to learn how the pope should be, as he once was, subject to the emperor. This is the reason why he himself has used

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[8] *De officio regis*, pp. 218-19: "Ideo ut dixi superius cum rex capit iuramentum a sua milicia et suis episcopis, et in ipsis capitibus a subiectis, consonum foret quod et caperet a quibuscunque legiis suis, a distantibus ut pape et cardinalibus remote in suis institucionibus in confuso, et ab aliis qui volunt privatim et specialiter habere regis et regni beneficium specialiter et distincte. . . . Quantum ad fratres patet, cum sint humanitus immediate sub papa et non sub regnorum episcopis, provinciales eorum debent esse iurati regibus et regnis, et in ipsis omnes et singuli eorum subditi."

and quoted these laws in his arguments, as the apostle had quoted the poet.[9]

In a passage in the latter part of *De potestate papae* Wyclif says that the king of England should primarily devote himself to the regulation of his clergy and his bishops, urging especially that they live more in accordance with the law of Christ. For the whole kingdom is one body, and it pertains to the office of the king to guard and heal it; the king should begin with the clergy who are the principal part, as is the stomach with regard to the rest of the body, for it regulates the health of the whole body. And anyone, the Roman pontiff included, who acts on unfounded presumption and impedes this sacred duty of the king is a heretic, for neither Peter nor Paul nor our Lord himself has power to injure, but only to better, the *ecclesia*.[10]

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[9] *Ibid.*, p. 237: "Ad secundum principaliter adductum dicitur, quod leges vocate ecclesiastice sunt multis legibus civilibus plus inique, et circa talia non licet fideli occupari nisi ad contradicendum et destruendum. . . . Unde videtur quod si rex Anglie non permitteret canonistas vel civilistas ad hoc sustentari de suis elemosinis vel patrimonio crucifixi ut studeant tales leges (hoc enim non sustinet de lege propria cui racionabiliter plus faveret) non dubium quin clerus foret utilior sibi et ad ecclesiasticam promocionem humilior ex noticia civilitatis proprie quam ex noticia civilitatis duplicis aliene. Sed decens est ut regnum nostrum sciat leges papales aut cesareas, non solum propter veritates et raciones inclusas in illis, nec solum ut communicetur liberius cum hominibus et libris exteris, sed eo potissime ut videatur quomodo papa debet, sicut olim, esse subjectus Cesari, et quomodo sancti pape priores vel concedendo vel ommittendo isti consenserant. Ad hoc enim allegavi leges civiles superius, sicut Apostolus, arguendo ad hominem, allegat poetam."

[10] *De potestate papae*, xii, 377: "Et ex istis primo patet quod rex Anglie primo et principaliter daret operam ad regulandum clerum suum et specialiter episcopos ut vivant similius legi Christi; totum enim regnum est unum corpus, quod tueri adque mederi spectat ad regis officium, ut dicit iste sanctus. Ideo oportet secundum beatum Crysostomum Omelia XXXI Operis Imperfecti incipere a clero, cum sit pars principalis et stomachus corporis, per quem cibi digestio et sanitas sunt ad cetera membra corporis derivanda. Oportet enim regem ab illis incipere secundum leges ordinis naturalis. Unde quantum ad illas viginti duas condiciones regis omnes sonant implicite quod rex debet ad regimen cleri sui magis attendere; tunc enim defendit ecclesiam, regnum, viduas et pupillos. Quod si exaltat et fovet indignos episcopos, heresiarcha et autor sui

It would seem at first glance that this statement contradicts those previously cited concerning Wyclif's ideas on the *ecclesia*. But it is to be noted that even in this passage the reasoning implicit in the invocation of the regal power of regulation would seem to be similar to the traditional concept of the two powers within one body (*respublica christiana*); that is, to put down abuses in the spiritual part of the *ecclesia*, with which the spiritual arm by itself cannot cope. In such a supposition it is obvious that no one should intervene on the side of the abuse to defend it (*qua abuse*). It may be objected that this is reading the text in too favorable a light, but this text, when compared with all that Wyclif has said previously on the subject, scarcely affords a solid basis for attributing to him a full-fledged doctrine of Erastianism.

THE KING AND WAR

According to Wyclif war should be waged only for the preservation of charity of God and the neighbor and for no other reason.[11] But war should not be made by Christians against one another, for even the law of nature shows us that animals love their like. How monstrous is the case, then, [seeing that] a wolf loves a wolf and a serpent, a serpent, and a man loves a bird or a dog, that man should so cruelly treat his fellowman. Hence no one should inflict death on another.[12] Our faith teaches us the

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facinoris est censendus. Secundo patet quod sive Romanus pontifex sive quicumque alius ex presumcione infundabili impedierit hoc sacrum regis officium habet racionem heretici et pessimi Antichristi. Patet ex hoc quod talis est capitalis in heresi talis regis, nam nec Petrus nec Paulus nec eciam dominus Ihesus habet potestatem ad dampnificandum, sed meliorandum ecclesiam."

[11] *De officio regis*, p. 261: "Quantum ad illud sepe dixi quod licet pugnare et guerrare propter caritatem habendam ad deum et proximum eciam debellandum, et aliter non." *Ibid.*, p. 248: "Conceditur igitur quod licet regi pugnare in causa ecclesie contra infideles in intencione honorificandi Cristum, proficiendi ecclesie eciam hominibus quos expugnat, et aliter non licet."

[12] *Ibid.*, p. 262: "Unde contra gwerrantes in cristianitate procedam tripliciter; primo per viam legis nature, secundo per viam legis scripture, et tercio per viam ra-

same thing, and what modern man has any special revelation that he is to act as agent of vengeance?[13]

Our reason shows us that warring is illicit. The money used up in wars could be much more profitably spent in the cause of God.[14] Besides, a victory makes the one victorious more prone to commit sin. In conformity with his theory on dominion Wyclif points out that none is worthy of dominion unless he be in the state of grace; but the mercenary soldier does not even know the justice of the cause for which he fights! Indeed, even supposing the leader to be without sin, since the hereditary title does not suffice by itself, he must have a holy resolution to rule the conquered people more correctly in the law of the Lord.[15]

Invading the land of others is allowed only that charity may be practiced toward them either by converting or at least by punishing them. However, it is meritorious to fight in defense of the *ecclesia*, with the infidels for example, that the faith be defended or that the infidels be converted through forceful means. But it is not licit to fight principally for temporal gain.[16]

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cionis humane. . . . Monstruosa itaque transformacio humani generis, ubi lupus lupum diligit et serpens serpentem, . . . quod homo econtra avem equum et canem diligit, sed fratrem suum tractat crudeliter. . . . Ergo nemo debet sic mortem inferre proximo."

[13] *Ibid.*, p. 263: "Et patet ex fide eadem sentencia. Quis, rogo, modernus gwerrans habet revelacionem vel preceptum domini quod deus instituit eum ad tam acriter dei iniuriam vindicandum?"

[14] *Ibid.*, p. 271: "Sed 3° principaliter arguitur contra admittentem fidem nostram per viam racionis humane quod illicitum est gwerrare. Primo per hoc quod omnibus laboribus et expensis aliunde in causa Dei facilius expositis maius premium evidencius sequeretur."

[15] *Ibid.*, pp. 271-72: "Item obtenta fortuite victoria fit exinde Victor pronior ad peccandum. . . . Item nemo est vere dignus dominio nisi fuerit in gracia, ut hic supponitur. Sed hoc ignorat quilibet stipendiarius de duce exercitus. Ergo ignorat de Iusticia pungne [sic]. . . . Item supposito quod princeps exercitus sit aliunde nunc sine mortali preter hoc quod affectat tantum dominium tunc cum ius hereditarium per se non sufficit, patet quod oportet ipsum habere sanctum propositum ad populum conquestum in lege Domini reccius regulandum."

[16] *Ibid.*, p. 272: "Item per se notum debet esse fideli quem alloquor quod non licet sic invadere alienigenas nisi propter caritatem habendam ad ipsos vel ut con-

In the seventeenth chapter of the second book of the *De civili dominio* Wyclif offers another discussion of the problem of war between Christians. He is forthright in his condemnation of war. Indeed he wonders whatever had possessed the theological advisers around the king to counsel an invasion of France, evidently referring to the campaigns of the Hundred Years' War.

There are three conditions, however, which if present would justify a war against the neighbor: namely, a just claim, a licit authorization, and a right intention. With regard to the first condition, the one making war must be in grace and have a just claim or justified injury according to human or at least divine law. With regard to the second condition, it is clear that it is never allowable for an ordinary citizen to stir up war; nor must one go to war if justice can be obtained otherwise. The third condition, a right intention, demands that the one going to war be free from desire of mere glory or domination, of revenge, or the desire to amass temporal gains; rather he should be intent on the divine honor.[17]

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vertantur vel ut minus puniantur." *De civili dominio*, II, xvii, 249-50: "Primo pars patet eo quod christiani debent pugnare cum infidelibus pro defensione fidei, ut convertant eos eciam coaccione previa ad christianismum, prius tamen rectificando se ipsos, ergo non principaliter pro temporalibus."

[17] *De civili dominio*, II, xvii, 239, 240-42: "Unde frequenter mirabar qua fronte prelati nostri qui debent esse theologi consulunt regi nostro clementissimo invadere regnum Francie, cum tot mortibus sunt digni consentanei iuvantes consiliarii quot presciti utrumlibet sunt occisi, consencientes quidem et agentes pariter sunt puniendi. . . .

"Supposito ergo ex alibi declaratis quod tres condiciones necessarie rectificant iustum bellum, scilicet iusta vendicacio, licita auctorisacio, et recta intencio, patet quod nonnisi cum illis licet cuiquam proximum debellare. Oportet enim iuxta primam condicionem bellantem esse in gracia et habere iusticiam ad dominium vel iniuriam vindicandam eciam secundum iura humana vel saltem divina, quia aliter iniuste facit quiquid facit. . . . Et quoad secundam conclusionem patet quod non licet cuilibet persone de populo bella suscitare, ymmo nulli cui adest facultas secundum legem humanam vel divinam habere aliunde iusticie complementum. . . . Oportet ergo intencionem cuiuscunque bellantis purgari a putredine vane fame a libidine dominandi et zelo propriam

Hence it is the office of the theologian to advise on the question of war. Theologians should point out that it is possible, but difficult, to go to war. Secondly, the theologian should point out plainly when a war is licit and when it is (morally) dangerous. Thirdly, a theologian should declare that today a war is more dangerous than it was in the time of the Old Testament; for then they warred at the direction of God and against unbelievers, while today men have no such revelation, and they have, moreover, the counsels of Christ by which they are more bound than by demands of prince or prelate. Fourthly, the theologian should advise that it is safer, more secure, and conformable to the law of Christ that secular lords refrain from making war, even though they incur the risk of losing their earthly dominions. Fifthly, the theologian should advise clerics not to waste their property, nor use for war the donations of secular lords, but to keep themselves as true priests for peace and concord. Nor in the sixth place are clerics to be allowed to go to war just because it is licit for laymen to do so. Seventhly, the theologian is to counsel the secular power to beware of those arguments of anti-Christ based on the premise that it is licit to repel force by force. This is not the imitation of Christ. Wyclif ends with an exhortation to consider the example of Christ, who during his whole life and ministry lived as a very poor man and showed himself most humble and long suffering.[18]

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iniuriam vindicandi et ira postposita a cupiditate temporalium perquirendi et indui intencionem divini honoris, intendendo ex utraque parte bonum virtutis vindicacionem divine iniurie et cum inturbata miticia habere intencionem merendi bona patrie."

[18] *De officio regis*, pp. 276, 280: "Theologus autem examinatus in isto per modum consilii posset dicere quod possibile sed difficile est gwerrare. Secundo diceret plane talis gwerre licenciam et aliunde periculum. Tercio diceret quod bellum est hodie periculosius quam fuit in veteri testamento. Tunc enim bellarum ex revelacione domini contra infideles propter hereditatem quam deus illis donaverat, sed hodie deficiente isto habent superaddita Cristi consilia ad que amplius obligantur quam ad precepta neutra terreni principis vel spiritalis prepositi. Quarto consuleret cum sit sanius, securius et legi Cristi conformius

THE KING AND PROPERTY

In previous pages the political theory of Wyclif as regards the king's control of his clergy was considered.[19] It was clear from his own words that Wyclif based one of his oft-repeated arguments for royal confiscation of "abused" secular holdings of clerics on the principle of fraternal correction, and that his argument assumed the traditional concept of a single *ecclesia* comprising two powers, the spiritual and the secular, which were to cooperate in harmony.

Wyclif used another principle to argue to the same conclusion, but this time the principle emphasized royal power. For example, in one passage he noted that his opponent argued that the king had a sufficient income from his own possessions and regalia, and therefore injustice would be done by taking over the secular holdings of the clergy. In his reply Wyclif points out that this assertion of sufficiency of income savors of calumny. Besides, it assumes that the king does not have full dominion in his kingdom; but rather that it is an incomplete dominion so that, when his liegemen act in a way harmful to the kingdom, the king cannot remedy it. Moreover, the king ought to have the revenues from these holdings as he had before they were given in mortmain. The king has to render an account of his holdings

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quod seculares cessant a gwerris, licet quo ad civilitatem perdiderint terrenum dominium. . . . Quinto consuleret quod clerus nec sua prodigaliter in se consumat, nec gwerret cum elemosina quam seculares ei donaverant, nec recipiat et specialiter in gwerris talium comitivam, sed habeat vere sacerdotes ad pacem et concordiam consulentes. . . . Sexto consuleret quod non credatur istis pseudocristi arguciis quod liceat eis bellare ex hoc quod illud licet in laicis. . . . Septimo consuleret seculari cavere de fallaciis anticristi quibus consulit gwerrare per hoc quod licitum est vim vi repellere, cum bestie et inanimata corpora illud agunt."

"Consideremus itaque quod Cristus fuit in tota vita ista homo pauperimus, in tota ministracione sua humilimus et in tota iniuria sua pacientissimus." Note that with regard to the argument of repelling force by force Wyclif speaks differently in *De civili dominio*, II, xviii, 260.

[19] See Chapter III of this essay.

to God; for since royal dominion was unjustly alienated by the kings, so it belongs to the king's office to repair the injury done to the kingdom.[20] For every temporal lord is bound under pain of mortal sin not to lose his temporal dominion; so in giving anything to charity (*caritative*) he still retains his dominion. Nor can he allow it to be abused, for then he would lose both evangelical and civil dominion according to Wyclif's doctrine.[21]

In this same line of argumentation Wyclif put stress on the royal power of coercion. The king has the most universal power of coercion in his kingdom; hence supposing a case where it was expedient to punish the clergy through the confiscation of temporalities, this act would belong principally to the kingly office.[22]

But in opposition to these very emphatic texts in favor of what some might term an Erastian policy, one must consider also certain passages in the second volume of the *De civili dominio*. Wyclif here cites an objection to his doctrine which comes to this: on his own premises regarding the right of confiscation of clerical endowments when abused, one could also argue that

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[20] *De civili dominio*, II, iii, 22: "Quando autem frater meus assumit quod reges sunt stipendiati sufficienter ex regalia et aliis dominiis que possident aliunde et per consequens capere ab ecclesiis temporalia esset graviter ipsos concutere: patet quod tam assumptum quam consequencia capit calumpniam. Assumptum eo quod incompletum est regis dominium quando sui servitores et legii homines contra regis sui prosperitatem pacificam tam enormiter abutuntur diviciis; debet enim de illis temporalibus habere dominium capitale fructiferum, sicut habuit antequam dotata fuerunt ad manum mortuam; quod cum a regibus iniuste subtrahitur, patet quod regis est secundum legem Christi et regni dominium reparare."

[21] *Ibid.*, II, iii, 22: "Ideo omnis temporalis dominus tenetur sub pena peccati mortalis servare et non perdere dominium temporale, ut donando quicquid caritative in nomine Domini, manet donans dominans a vi predominato; perderet autem simpliciter dominium ewangelicum et civile, si consentiret abusui tali temporalium, quorum gubernacio ad se spectat."

[22] *Ibid.*, I, xxxvii, 270: "Item rex habet potestatem coactivam humanam universalissimam regni sui; ergo posito, per possibile, quod expediat clerum per subtraccionem invitam temporalium castigari, hoc principaliter spectat ad regis officium."

the clergy in their turn would have the right to confiscate the temporal holdings of the secular lords when these men did not make right use of their holdings. Wyclif concedes that his opponents' argument follows *ostensive* and necessarily. He adds that he only wishes that his opponents would admit that the other part follows as well. For there have been cases when the spiritual power took away or changed the temporal power from one king to another as Clement V did when he transferred the power from the Greeks to the Germans in the person of Henry, or as Innocent III did when he bestowed England and Ireland on King John, or the recent translation of the kingdom of Spain from Pedro to Henry. Wyclif will not decide whether they acted for selfish motives or to correct the abuses of temporal things.[23]

He concludes quite emphatically that should pope, emperor, king, bishop, or temporal lord fall into open heresy, then at the exhortation and advice of the clergy, the whole Church should rise up and take away from them their goods of nature and for-

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[23] *Ibid.*, II, iv, 33: "Ultimo magis efficaciter arguit per locum: Si, inquit, sequatur: Si Deus est, ergo domini temporales possunt meritorie auferre ab ecclesiasticis bona sua; per eadem media sequitur: Si deus est, tunc viri ecclesiastici possunt meritorie a dominis temporalibus auferre bona sua, et indubie hec evidencia valet totum praevaricantem undenarium supradictum. Conceditur ergo quod dicta conclusio necessaria sequitur ostensive. Et utinam sic arguentes, sicut pars eis adversa, palam descenderent ad medullam. Declaratur dicta conclusio per effectum: Nam dominus papa Clemens V . . . principatum Romanum a Grecis transtulit in Henricum, rege Sicilie deicto, et sic remanet imperium usque hodie secundum formam eleccionis inextricabilis cum Germanis. Sic et dominus Innocencius III dominium Anglie et Ybernie contulit regi Johanni, reddendo sibi annuatim septingentas marcas pro Anglia et ducentas pro Hibernia, ut meminit Cestrensis in suo Policronico libro vi, septimo capitulo [perhaps vii, cap. xxiv is meant]. . . . Et Urbanus V nostris temporibus transtulit (quantum in ipso fuit) regnum Hyspanie in Henricum Bastardum, auferendo ipsum a Petro, legittimo rege eius, ut dicitur. . . . Et sic de multis regnorum dominiorum christianitatis translationibus quas Romanus pontifex vendicat se posse facere ex iure successionis vicarie sancti Petri. Utrum autem hoc fecerit propter personarum affeccionem vel civile suscipiendum vel propter abutencium temporalium correpcionem, non est meum discutere; sed scio quod quolibet istorum trium modorum."

tune as unjust possessors, as corruptors of the republic, and as traitors to their God and neighbor. In either part (seemingly either arm of the *ecclesia*) there can be such transgression that God may command the other part to despoil the guilty one.[24]

The force of this passage cannot be overlooked when one seeks a complete view of Wyclif's theory. For here we see that Wyclif envisions not only the possible confiscation of clerical holdings by a king, but also the deposition of rulers by papal authority. Moreover it is significant to note that in his examples, although he seems to doubt the righteousness of the motive, he does not deny the validity of the act. Apparently Wyclif justifies not only the confiscation of clerical holdings in a possible case, but also the deposition of a king or queen by papal authority. Viewed in context with the preceding citations of his theory in relation to king and clergy, secular and spiritual power, it merely shows once more how much of the traditional viewpoint was held by John Wyclif.

CONCLUSION

In Chapter III some general conclusions were reached with regard to Wyclif's idea of dominion and its relation to his political theory, and in particular to his proposals for the confiscation of ecclesiastical wealth in certain instances (pages 89-96). Then the importance of the traditional medieval concept of the *ecclesia* to the whole structure of Wyclif's political thought was

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[24] *Ibid.*, II, iv, 34: "Et tercio modo hoc legittime poterit attemptare; quando enim persona ecclesie ut papa, imperator, rex, episcopus vel dominus temporalis patenter cadit in heresim, debet tota ecclesia secundum exhortacionem cleri atque consilium insurgere contra ipsum auferre ab eo tam bona nature quam bona fortune, tamquam iniusto detentore, reipublice corruptore et Dei ac proximi proditore. Sunt quedam alie vie, quibus verificari potest dicta conclusio ut noverunt philosophi. Nam viri ecclesiastici possunt esse domini temporales et econtra; et ex utraque parte possunt tantum transgredi quod Deus precipiat uni parti sub obtentu eterni premii quod spoliet partem ream. Ideo nullus sanus catholicus dubitat de conclusione tali possibili supradicta."

emphasized. A review of his general concept of monarchy and the monarch's relation to the law, his discussion of the better type of monarchy whether elective or hereditary, all pointed up the fact that Wyclif's idea of medieval government in action was one that revolved almost entirely about the person of the king (pages 126-31).

Before attempting any assessment of Wyclif's influence on subsequent political theory, especially in England, the sparsity of manuscripts preserving his writings should be noted. This factor has sometimes been overlooked in estimating his influence on subsequent thinkers, for one must know the opinions of another in some way before he can be influenced by him. It is startling to realize that manuscript copies of Wyclif's works are relatively rare in English libraries; we are dependent mainly on manuscripts from Vienna or Prague.[25] Therefore in any general evaluation of Wyclif's influence on the rise of nationalism, even in its widest sense, conjecture must play some part.

Nor is much help to be found in the influence of the Lollard movement in this regard. Gairdner's classic work has reduced that development to historical proportions.[26] Even if some might consider the influence which he attributes to the Lollards too slight, it must be remembered that whatever their influence was, it was not present on the university level. The importance of the Oxford condemnation in the series of events in 1381 and 1382 has frequently been underestimated. This condemnatory judgment represented the official voice of the English professional theologians, the most important faculty of Oxford. Perhaps this condemnation explains why the *Trialogus* was written in so bitter a tone. Wyclif knew the force and value of the theologians'

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[25] Workman, *John Wyclif*, I, 16. See also Robson, *Wyclif and the Oxford Schools*, pp. 240, 244.

[26] J. Gairdner, *Lollardy and the Reformation in England* (London, 1908), 3 vols.

approval; his life had been spent amongst them; *his* world had now closed its doors against him.[27]

On the other hand, the fact that students from Bohemia could find some of Wyclif's manuscripts in Oxford indicates that the condemnation did not put a stop to all reading of them. But all in all, as far as one can judge, manuscripts of Wyclif's voluminous Latin treatises were relatively rare. Although the sixteenth-century religious revolutions destroyed great stocks of historical data, they would scarcely have so treated Wyclif's writings. It would seem fair to conclude, then, that Wyclif's professorial writings were not easily available in England to learned men; and there is no doubt that most of his technical language and theological apparatus would be unintelligible to the non-university man.[28]

A second important factor to be considered is the present state of the manuscript tradition. Not only are we forced to rely quite regularly on a single or at most two or three manuscripts for the texts of Wyclif's important works, but these manuscript copies are usually the work of non-English scribes. Fortunately, however, there is present in Wyclif's writings a characteristic which makes up somewhat for the scarcity of manuscripts. This is his constant, at times monotonous, repetition of the same arguments and viewpoints in work after work.[29] Hence if in one passage the doctrine is obscure, the reader can hope that in the next

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[27] The decree is found in *Fasciculi Zizaniorum*, pp. 110-14. At the end of the judgment and after the signatures of the doctors, there is the statement: "Convocatis igitur praefatis doctoribus . . . et plena deliberatione habita de praemissis, *ex omnium nostrum unanimi consilio et assensu*, praesens mandatum emanare decrevimus" [italics added]. See also Dahmus, *Prosecution of Wyclyf*, pp. 89-134 and his remarks on Netter in J. Dahmus, "John Wyclif and the English Government," *Speculum*, XXXV (1960), 57-61.

[28] From the original passages cited in this essay the reader will have understood why even scholars today sometimes find his writings hard going.

[29] This is also a factor which further complicates the accurate dating of certain writings of Wyclif.

chapter or perhaps in a quite different book he will find the same thought and argumentation developed to the same or even greater length.

With these qualifications in mind one may attempt some comments concerning Wyclif's relationship with the rising national state. Following the lead of Professor Tout, one may consider three chief forces of cosmopolitanism as against a rising nationalism: the *regnum*, *sacerdotium*, and *studium*.[30] It will be helpful to note Wyclif's attitudes under these three headings.

As has been seen very often, Wyclif had the medieval concept of a single *ecclesia*, which was composed of two powers, distinct but not antagonistic, working for the good of the individual and the whole body. Wyclif declared against the unity of empire in the secular part of the *ecclesia* because it was not able to be realized. His arguments, more explicit than those of John of Paris some seventy years before, pointed out the difficulties of land and sea, as well as the pride of language. Moreover, the division of the empire of which he spoke was not a division into feudal baronies but into kingdoms like England, ruled by a king with as much authority as is necessary for the effective execution of his rule.[31]

At first glance his obvious detestation of the civil law would seem an obstacle to his exaltation of the rising nation; for it was under the leadership of these civilians that much of the theory of the new national states was being worked out in the chanceries of Europe. But we find that, although he will not use the reasonings of the lawyers, Wyclif echoes their conclusions, which he reaches by his own theological arguments. Although he may detest the formation of bureaucracy as a greater and greater departure from the simplicity of the state of innocence, this is only the theologian speaking against the lawyers. Wyclif cer-

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[30] T. F. Tout, *France and England* (Manchester, 1922), p. 30.

[31] See note 3 of this chapter.

tainly does not intend to derogate from the regal power; "the liegemen of the king are to be coerced by reason of the command of the same law."[32]

Thus Wyclif's concept of the *ecclesia* was one in which the rising national state played an important part. It was a theory according to which a universal Church ruled over the spiritual part, while the temporal authority was divided among the kings of Christendom, for the *imperium* was dissolved.[33]

Unfortunately, the problem of Wyclif's theories about the *sacerdotium* has produced more theological apologetics than historical explanations. Remembering however that Wyclif views the *ecclesia* as a body composed of two parts, the reader has a key to the understanding of much of his political doctrine. The clerical members are not to be subordinated to the secular part, for they are to follow the more excellent way which the secular lords have not chosen. The whole brunt of Wyclif's criticism against the "Caesarian" clergy is precisely that they have become too much involved in purely secular matters. With the concept of this *ecclesia* in mind we should read his sharp accusation of enormous sin leveled against the king and his magnates for drawing cases from the episcopal courts into their own. Moreover, when he hints that something similar is taking place with regard to appeals to Rome, we have a further indication of his general attitude.

When Wyclif demanded freedom for the English Church, it was apparently that freedom which he believed it had always enjoyed: a freedom from the secular lords and freedom from what he considered encroachments of the Roman canon law courts on the English episcopal power and on the right of disposal of English benefices. Whether the confiscation by the secular lords of certain ecclesiastical properties, in the way Wyclif

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[32] See Chapter IV of this essay, note 50.

[33] See note 2 above.

used it in his theory, would actually have safeguarded the independence and harmonious cooperation of the two parts of his *ecclesia* is quite a different question.

In his discussions about the problem of war Wyclif spoke out plainly. War against infidels can be envisioned, but that fellow Christians should kill one another he considers horrible. However, in line with the normal doctrine of medieval theologians, he admits the possibility of a just war under certain conditions. He further restricts these conditions according to his own theory of the relationship of grace and dominion. His remark about the stupidity of the theological advisers who counseled the French invasion would seem to indicate that he and John of Gaunt would have had little in common on the war question.[34] If one sees in the developing concept of nationalism an emphasis on warfare between Christians, then Wyclif's influence is clearly against such an idea.

Finally, there is the *studium* considered as a force for cosmopolitanism rather than nationalism. Wyclif was part and parcel of a great medieval university, and one would suspect that under this aspect his influence could hardly be in favor of a rising national state. He studied a doctrine that was universal in Europe, theology; he spoke it and wrote about it in Latin, a medium which was a common blessing of every European scholar; and he studied and taught among men drawn from different parts of the Christian world.

On the other hand he studied at Oxford, which in comparison with Paris was certainly more national minded. Wyclif himself pointed out that pride of language had aided in rendering impossible the imperial dream. Furthermore, his own contribution to the development of the vernacular is to be remembered, although the manuscript tradition of the English works of Wyclif, as we have it at present, makes one hesitate to cite their

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[34] See note 17.

doctrine as that of Wyclif unless his Latin writings are used as a control.[35] Lollardism, as a movement, was scarcely beneficial to royal power, except that its members afforded the king an exercise of royal power in "removing heretics from the kingdom," as Wyclif wished him to do. Thus they might be said to have increased the royal power, but it was only at the cost of their own disappearance.

Wyclif's participation in politics as a theological adviser from Oxford was definitely on the side of royal power and dignity. Indeed, his exaltation of the royal power seems to afford about the only logical basis for an alliance between himself and John of Gaunt. However powerful or slight his influence in parliamentary matters was, as far as can be seen from his writings and theory, it was on the side of the king. The dilemma which Lechler noted in his biography of Wyclif still remains.[36] Was Wyclif on the side of the Good Parliament or on that of the king's representative, the Duke of Lancaster? The answer is that Wyclif was a firm believer in a king who ruled and a royal dignity that was under baronial control. He wrote with enthusiasm of such a king. If Wyclif was caught on one horn of the dilemma, it would seem fairly certain that it was the royal one.

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[35] The difficulties in the manuscript tradition are in evidence in E. Talbert, "The Date of the Composition of the English Wyclifite Collection of Sermons," *Speculum*, XII (1937), 465-74.

[36] G. V. Lechler, *John Wyclif and His English Precursors*, translated and abridged by P. Lorimer (London, 1878), I, 245.

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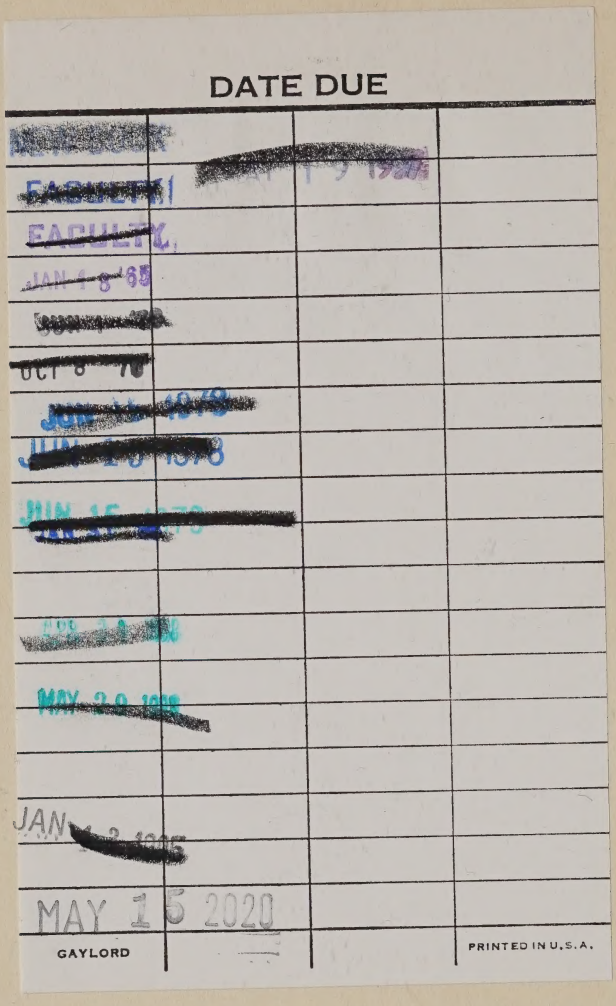
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